



BOARD OF EDUCATION Regular Board Meeting

11/07/2019 07:00 PM

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

Our Mission

Sunnyvale School District provides every student with a strong foundation of academic, behavioral, and social-emotional skills to prepare them for success in a diverse, challenging, and changing world.

- *Agenda materials are available online and in the Superintendent's Office upon request.*
- *Individuals requiring special accommodations should contact the Superintendent's Office at least two working days before the meeting date.*

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

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1. OPENING OF MEETING BY BOARD PRESIDENT

- A. Pledge of Allegiance





2. APPROVAL OF AGENDA**3. APPROVAL OF MINUTES**

- A. Regular board meeting of October 17, 2019 

4. COMMENTS FROM THE BOARD AND SUPERINTENDENT**5. COMMENTS FROM THE PUBLIC****6. COMMENTS FROM THE SUNNYVALE EDUCATION ASSOCIATION****7. COMMENTS FROM THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION****8. PRESENTATIONS**

- A. Columbia Middle School 



9. REVIEW AND DISCUSSION

- A. Revised Board Policy 0460 - Local Control and Accountability Plan 
- B. New Board Policy 0520 - Intervention for Underperforming Schools 
- C. New Board Policy 0520.1 - Comprehensive and Targeted Support and Improvement 
- D. Revised Board Bylaw 9323 - Meeting Conduct 





10. REVIEW AND ACTION

- A. Approval of Resolution No. 20-07 Authorizing Contracts Pursuant to Public Contract Code 20118 and Authorization to Enter into an Agreement Incorporating Piggyback Contracts for Relocatable Buildings at Cherry Chase Elementary School 



11. CONSENT AGENDA ITEMS

- A. Approval of Change Order #02 – Columbia M.S. Exterior Improvements Project 
- B. Approval of Change Order #016 – Bishop Elementary School Modernization – Increment 1 & 2 – USS Cal Builders 
- C. Acceptance of Substantial Completion and Notice of Completion for the Columbia Middle School

Exterior Improvements Project

- D. Approval of proposed Music in the Parks Festival Anaheim field trip for the Columbia Middle School Music Department
- E. Approval of General Contractor Agreements (Sub Plans by Substantial, BrightBytes Inc., The Regents of the University of California Berkeley, Temporary Kitchens 123, Mad Science of the Bay Area, Document Tracking Services, School Services of California Inc., Mobil Modular Management Corp., California Weekly Explorer) 
- F. Approval of Consultant Contracts (A. Johnsen, W. Bussey, R. Kim, J. Johnson, S. Gross, J. Salinas, M. Nevarez) 
- G. Approval of Memorandum of Understanding re. Vision Plan Options
- H.  Approval of Revised Job Description/Title Change - Confidential Human Resources Program Analyst
- I. Approval of Personnel Assignment Order 19-07 
- J. Acceptance of Donations to the District

12. INFORMATION AGENDA

- A. Williams Uniform Complaint Settlement Quarterly Report 
- B. Revised Administrative Regulation 0460 - Local Control and Accountability Plan 

13. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

14. ADJOURN TO CLOSED SESSION

15. RECONVENE TO OPEN SESSION

- A. Report From Closed Session

16. FUTURE MEETINGS/ADJOURNMENT



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Printed : 10/31/2019 5:15 PM PST

1. OPENING OF MEETING BY BOARD PRESIDENT

Quick Summary / Abstract

The Board President shall announce that a recording is being made at the direction of the Board and that the recording may capture sounds of those attending the meeting.

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/1/2019 at 3:26 PM PST by Annalee Wee



BOARD OF EDUCATION Regular Board Meeting

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1. A. Pledge of Allegiance

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BOARD OF EDUCATION Regular Board Meeting

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819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

2. APPROVAL OF AGENDA

Quick Summary / Abstract

Motion _____ Seconded _____ Board Action _____

Recommendation

Approval of the agenda as presented

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/1/2019 at 3:26 PM PST by Annalee Wee



BOARD OF EDUCATION Regular Board Meeting

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Printed : 10/31/2019 5:15 PM PST

3. APPROVAL OF MINUTES

Quick Summary / Abstract

Motion _____ Seconded _____ Board Action _____

Recommendation

Approval of the minutes as listed

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/1/2019 at 3:26 PM PST by Annalee Wee



BOARD OF EDUCATION Regular Board Meeting

11/07/2019 07:00 PM

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Printed : 10/31/2019 5:15 PM PST

3. A. Regular board meeting of October 17, 2019 

Supporting Documents

[Board Minutes 101719.pdf](#)

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/28/2019 at 10:20 AM PST by Annalee Wee

**BOARD OF EDUCATION Regular Board Meeting
10/17/2019 07:00 PM**

Board Room
819 West Iowa Avenue, Sunnyvale, CA 94086

Meeting Minutes**Printed : 10/28/2019 10:18 AM PST**

Our Mission

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- *Agenda materials are available online and in the Superintendent's Office upon request.*
- *Individuals requiring special accommodations should contact the Superintendent's Office at least two working days before the meeting date.*

Attendees

Voting Members

Jeff Arnett, Board Member
Michelle Maginot, Board Member
Reid Myers, Board Member
Nancy Newkirk, Board Member
Bridget Watson, Board Member

1. OPENING OF MEETING BY BOARD PRESIDENT

Board President Nancy Newkirk called the meeting to order at 7:00 p.m. She announced that the meeting is being recorded and that the recording may capture sounds of those attending the meeting.

Administrators present:

Benjamin H. Picard, Superintendent
Michael Gallagher, Deputy Superintendent
Mala Ahuja, Assistant Superintendent
Tasha Dean, Assistant Superintendent

A. Pledge of Allegiance

2. APPROVAL OF AGENDA

Motion: Approval of the agenda as presented

Motion made by: Reid Myers

Motion seconded by: Jeff Arnett

Voting:

Jeff Arnett - Yes

Michelle Maginot - Yes

Reid Myers - Yes

Nancy Newkirk - Yes

Bridget Watson - Yes

3. APPROVAL OF MINUTES

Motion: Approval of the minutes as listed

Motion made by: Michelle Maginot

Motion seconded by: Jeff Arnett

Voting:

Jeff Arnett - Yes

Michelle Maginot - Yes

Reid Myers - Yes

Nancy Newkirk - Yes

Bridget Watson - Yes

A. Regular board meeting of October 2, 2019

4. COMMENTS FROM THE BOARD AND SUPERINTENDENT

Bridget Watson:

- Volunteered at Cherry Chase and Sunnyvale Middle School
- Participated as interview panelist in Columbia Middle School's Mock Career Interviews
- Attended an Equity Network workshop in Sacramento
- Attended SEA's Welcome Back Gathering: New Teacher Welcome
- Attended the CFSCPTA Fall Luncheon and presentation on Safe Routes to School
- Attended the Health and Wellness Committee meeting
- Shared that a middle school parent contacted her regarding improving the PE curriculum
- Shared that because of the PG&E power shutdown, her last Master in Governance class was moved to Sonoma the day after the the 11/14 board meeting; she requested that the 11/14 special board meeting start time be changed to 6:30 p.m. to allow for travel time to Sonoma

Jeff Arnett:

- Attended a seminar on brain development and trauma informed instruction

Reid Myers:

- Attended Sunnyvale Education Foundation meeting and shared that a new board member from Ellis School, Elaine Barker, was sworn in
- Participated as interview panelist in Columbia Middle School's Mock Career Interviews
- Shared that she recently had family over where her mom surprised her with her daughter's arrival from college in honor of her birthday

Michelle Maginot:

- Attended the 50th Annual Teacher Recognition Celebration
- Participated as interview panelist in Columbia Middle School's Mock Career Interviews
- Attended the County Youth Engagement Meeting and shared some information about Youth Voice Live 2020 which will be held on 5/9/20

Nancy Newkirk:

- Attended an Equity Network workshop in Sacramento
- Attended the CFSCPTA Fall Luncheon and presentation on Safe Routes to School
- Shared that she was the group facilitator for Santa Clara County Supervisor Cortese's Summit on Hopelessness
- Participated in a webinar around youth and social emotional supports with a focus on preventing teen suicides
- Working in preparation for the presentation on interest-based bargaining at the CSBA AEC

Dr. Benjamin Picard, Superintendent:

- Acknowledged the work that Dr. Tasha Dean, Alia Wilson, and the team did in the District's successful application for the Golden Bell Award around social emotional learning; the District will be among those recognized on 12/5 at CSBA AEC
- Shared that today a district-wide emergency preparedness drill was held for the first time in many years
- Shared that a team of administrators and parents visited Cherrywood Elementary School at Berryessa Union School District to observe its Mandarin Immersion Program
- Shared that the District is saddened by the loss of Cherry Chase Elementary School teacher, Cindy Suth

5. COMMENTS FROM THE PUBLIC

Prashant Kondawar, Sandeep D., and Arvind Iyer shared their appreciation for the collaborative process utilized that led to the best possible outcome with regard to the adoption of the History-Social Science Curriculum. Mr. Kondawar also mentioned that he and other parents donated 20 copies of the book, History of Hindu India, to district History Social Science teachers.

6. COMMENTS FROM THE SUNNYVALE EDUCATION ASSOCIATION

No comments

7. COMMENTS FROM THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION

No comments

8. PRESENTATIONS

A. Lakewood 2019-2020

Principal Pam Cheng and Assistant Principal Brian Brown shared data on Lakewood's changing demographics and community, benchmark assessments, and academic progress, defining the core of their work, which is to engage to meet diverse needs. EQ and SEL with home connection is critical. The focus is on the power of seeing and hearing each child, helping children through the modulations of life and engaging and supporting by planning meaningful/relevant curriculum, sharing learning goals, empowering students to take ownership of their learning, listening, and to meet each where they are.

Students, Anne and Kathy Fakava, were honored as Outstanding Students of the Year for their leadership and work that impact the school community positively.

B. California School Dashboards Local Indicators

Sarah Tellez, Director of Curriculum, Instruction, and Assessment, explained and shared information on the California School Dashboards local indicators:

- Basics
- Implementation of Academic Standards
- Parent Engagement
- School climate
- Access to a Broad Course of Study

9. REVIEW AND ACTION

A. Amendment of Ground Lease/Plaza del Rey

Chief Operations Officer Rob Smiley shared that Plaza del Rey has been a long term tenant of the District, operating a mobile home park on district property located at 1115 Hidden Lake Drive, Sunnyvale, since 1979. The current lease ends on August 30, 2020, and a new lease, negotiated between the parties and approved by the Board on January 10, 2019, begins on September 1, 2020 for a period of thirty years. In September, 2019, the District was notified that the property had been sold to Plaza del Rey Owner MHC L.L.C. The new owner now seeks an amendment to both the existing and future lease to allow the new owner to pledge its leasehold interest (along with its ownership interests in adjacent property) as collateral for a loan provided by Northwestern Mutual Life Insurance Company ("Lender").

Motion: It is recommended that the Board of Education approve the Amendments to Lease Agreement as presented.

Motion made by: Reid Myers

Motion seconded by: Bridget Watson

Voting:

Jeff Arnett - Yes

Michelle Maginot - Yes

Reid Myers - Yes

Nancy Newkirk - Recuse

Bridget Watson - Yes

B. Adoption of Sunnyvale School District Education Technology Plan 2019-2022

Jeremy Nishihara, Manager of Information Systems and Human Resources, gave a summary of the process that went into updating the District's Technology Plan. Over the past eight months, an Education Technology Plan Steering committee has guided the work in the development of the plan. The Steering Committee is comprised of principals, teachers, an Instructional Technology Specialist, Information Technology staff, and district administrators and met monthly over the past nine months. The Steering Committee's work included examining the current policies, practices, and usage of education technology throughout the District, developing education technology plan goals, and establishing a road map for instructional technology integration. During this process, the Steering Committee facilitated an input process from a large group of over 70 stakeholders, including parents, students, and community members at two meetings for their input and review. In addition, a Board Study Session was held on August 22, 2019 where the Board of Education reviewed Technology Plan process, stakeholder feedback, and provide input on the goals and objectives of the plan.

Overall, stakeholders expressed that students should become active producers rather than consumers, concerns around data privacy, and the need for added instructional technology support for teachers to increase effective instructional use and ensure an equitable learning experience for all students. In addition, the group felt that the District does an excellent job in communicating with stakeholders, and this communication should be ongoing. The final draft plan is presented for Board adoption.

Motion: Adoption of the Technology Plan 2019-2022 as written.

Motion made by: Michelle Maginot

Motion seconded by: Reid Myers

Voting:

Jeff Arnett - Yes
 Michelle Maginot - Yes
 Reid Myers - Yes
 Nancy Newkirk - Yes
 Bridget Watson - No

10. CONSENT AGENDA ITEMS

Motion: Approval of Consent Agenda items as listed except for item 10C - School Plan for Student Achievement (SPSA) Updates for further discussion.

Motion made by: Reid Myers

Motion seconded by: Michelle Maginot

Voting:

Jeff Arnett - Yes
 Michelle Maginot - Yes
 Reid Myers - Yes
 Nancy Newkirk - Yes
 Bridget Watson - Yes

- A. Approval of Purchase Orders and Warrants September 2019
- B. Approval of proposed overnight field trip - Sutter's Fort State Historical Park (Fairwood)
- C. School Plan for Student Achievement (SPSA) Updates

Motion: Approval of the 2019-2020 School Plan for Student Achievement

Motion made by: Michelle Maginot

Motion seconded by: Bridget Watson

Voting:

Jeff Arnett - Yes
 Michelle Maginot - Yes
 Reid Myers - Yes
 Nancy Newkirk - Yes
 Bridget Watson - Yes

- D. Approval of Memorandum of Understanding re: Increase of Learning Resource Center Specialists Hours
- E. Approval of Revised Job Descriptions - Custodian I, Custodian II, and Grounds Maintenance Worker
- F. Approval of Memorandum of Understanding re. 2020 Health Plans
- G. Approval of Consultant Contracts (Martinez)
- H. Approval of General Contractor Agreements (Little Explorers Mobil Petting Zoo and Party's, Reading Writing Project Network, LLC, Mobile Ed Productions, Inc)
- I. Approval of Personnel Assignment Order 19-06
- J. Adoption of New Board Policy 3510 - Green School Operations
- K. Adoption of Revised Board Policy 3511 - Energy and Water Management

L. Adoption of Revised Board Policy 3551 - Food Services Operations/Cafeteria Fund

M. Adoption of Revised Board Policy 7000 - Concepts and Roles

N. Acceptance of Donations to the District

11. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

No comments

12. ADJOURN TO CLOSED SESSION

Board President Newkirk adjourned the meeting to closed session at 9:23 p.m. at which time Mala Ahuja and Tasha Dean left the meeting.

13. RECONVENE TO OPEN SESSION

A. Report From Closed Session

Ms. Newkirk reconvened the meeting to open session at 10:00 p.m. She announced that during closed session, the Board discussed:

- Public Employment
- Public Employee Discipline/Dismissal/Release
- Conference with Real Property Negotiators

The Board did not take action on any item discussed in closed session.

14. FUTURE MEETINGS/ADJOURNMENT

Board President Newkirk announced that there will be two meetings on November 7, 2019:

- Special Joint Meeting of the Boards of Education of Cupertino Union School District, Sunnyvale School District, and Fremont union High School District at 589 W. Fremont Avenue, Sunnyvale, commencing at 4:30 p.m.
- Regular Board Meeting of the Board of Education of Sunnyvale School District at 819 W. Iowa Avenue, Sunnyvale, commencing at 7:00 p.m.

Ms. Newkirk adjourned the meeting at 10:01 p.m.

Clerk, Board of Education

Date Approved



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4. COMMENTS FROM THE BOARD AND SUPERINTENDENT

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5. COMMENTS FROM THE PUBLIC**Quick Summary / Abstract**

This portion of the Agenda provides an opportunity for members of the public to directly address the Governing Board on any item of interest to the public; however, provisions of the Brown Act Government Code 54954.2(a) and .3 preclude any action being taken on any item not appearing on the posted agenda. Time limits allocated to public testimony are three (3) minutes per person and twenty (20) minutes per topic. Speakers are asked to give their name and affiliation so that an accurate record is reflected in the minutes.

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6. COMMENTS FROM THE SUNNYVALE EDUCATION ASSOCIATION

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7. COMMENTS FROM THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION

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8. PRESENTATIONS

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8. A. Columbia Middle School 

Contact Person

Mary Beth Allmann - Prinicpal, Columbia Middle School

Supporting Documents

[CMS Board Presentation 11-7-19.pdf](#)

Created on 10/1/2019 at 3:29 PM PST by Annalee Wee
Last Modified on 10/31/2019 at 4:51 PM PST by Annalee Wee



Columbia Middle School

November 7, 2019

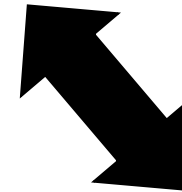
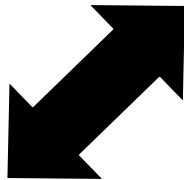
Social Emotional Well-Being

Asset Building Mindset / Policies / Language
Cultural Competency
Positive Relationships

Project Cornerstone
(41 Developmental Assets)

Acknowledge Alliance
(Resiliency, SEL)

CHAC
(Counseling Support)



Instructional Practice (Curr/Instr/Assess)

High Expectations +
Support Structures

Curriculum

Instruction

CCSS

SBG

EDI/GRR/CM

Data Teams



School Environment

Clear Procedures +
Reinforcement

Tier 1 – Bulldog Pride

Tier 2-CICO/Counseling

Tier 3-BSP/Case Mgmt.

Year-End ELA Data

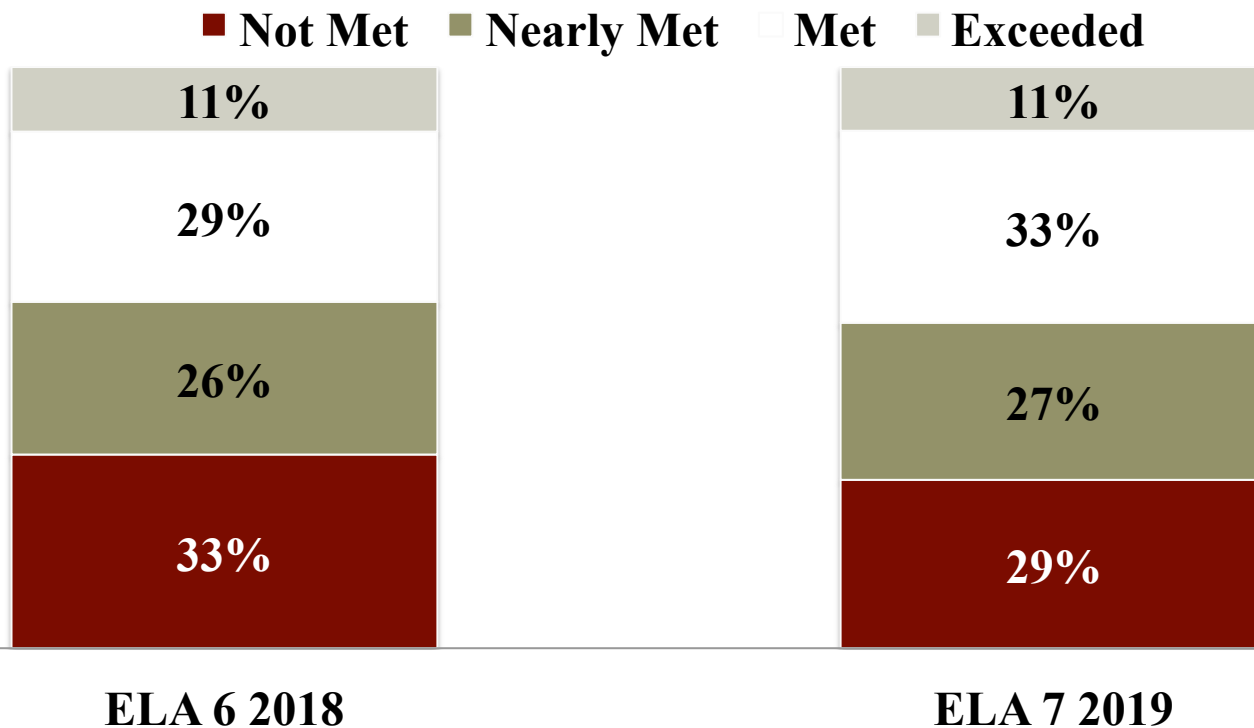
2018-2019

CAASPP ELA Proficiency (2019)

| | 2017 | 2018 | 2019 |
|-----|-------------|-------------|-------------|
| 6th | 30% | 40% | 33% |
| 7th | 37% | 43% | 45% |
| 8th | 39% | 42% | 41% |

CAASPP ELA Cohort Performance (7th Gr)

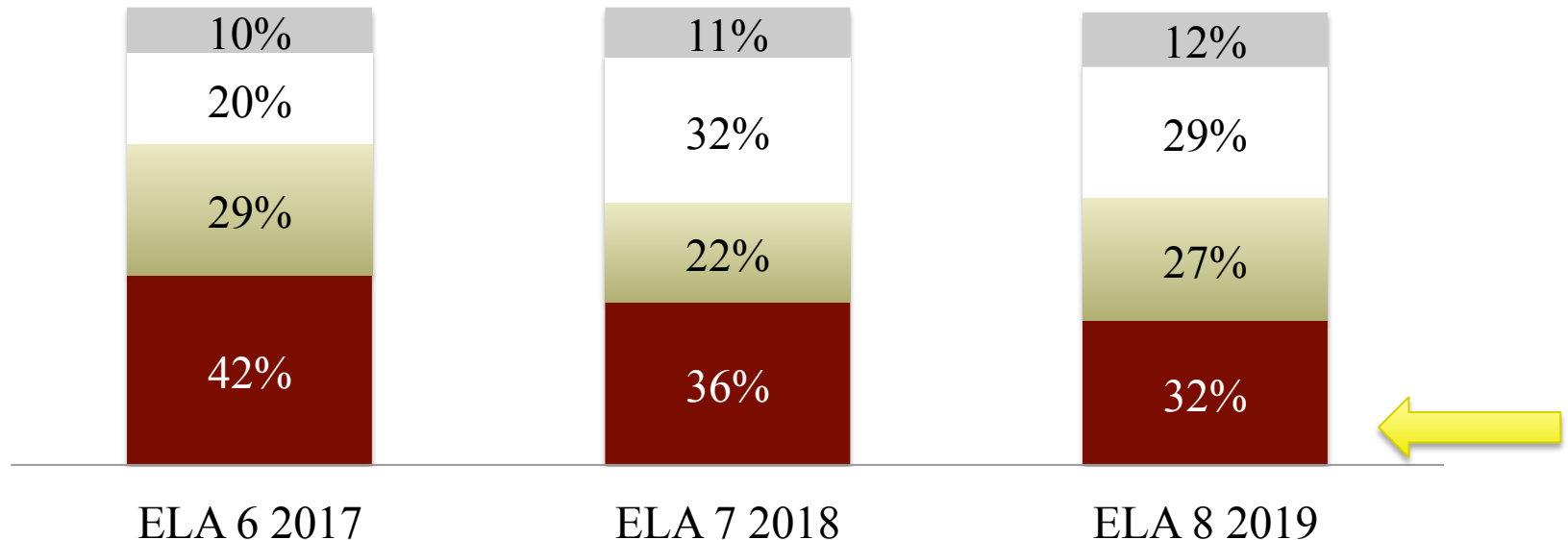
| COHORT Proficiency | 2018 ELA | 2019 ELA |
|------------------------------------|----------|----------|
| 6 th to 7 th | 40% | 45% |



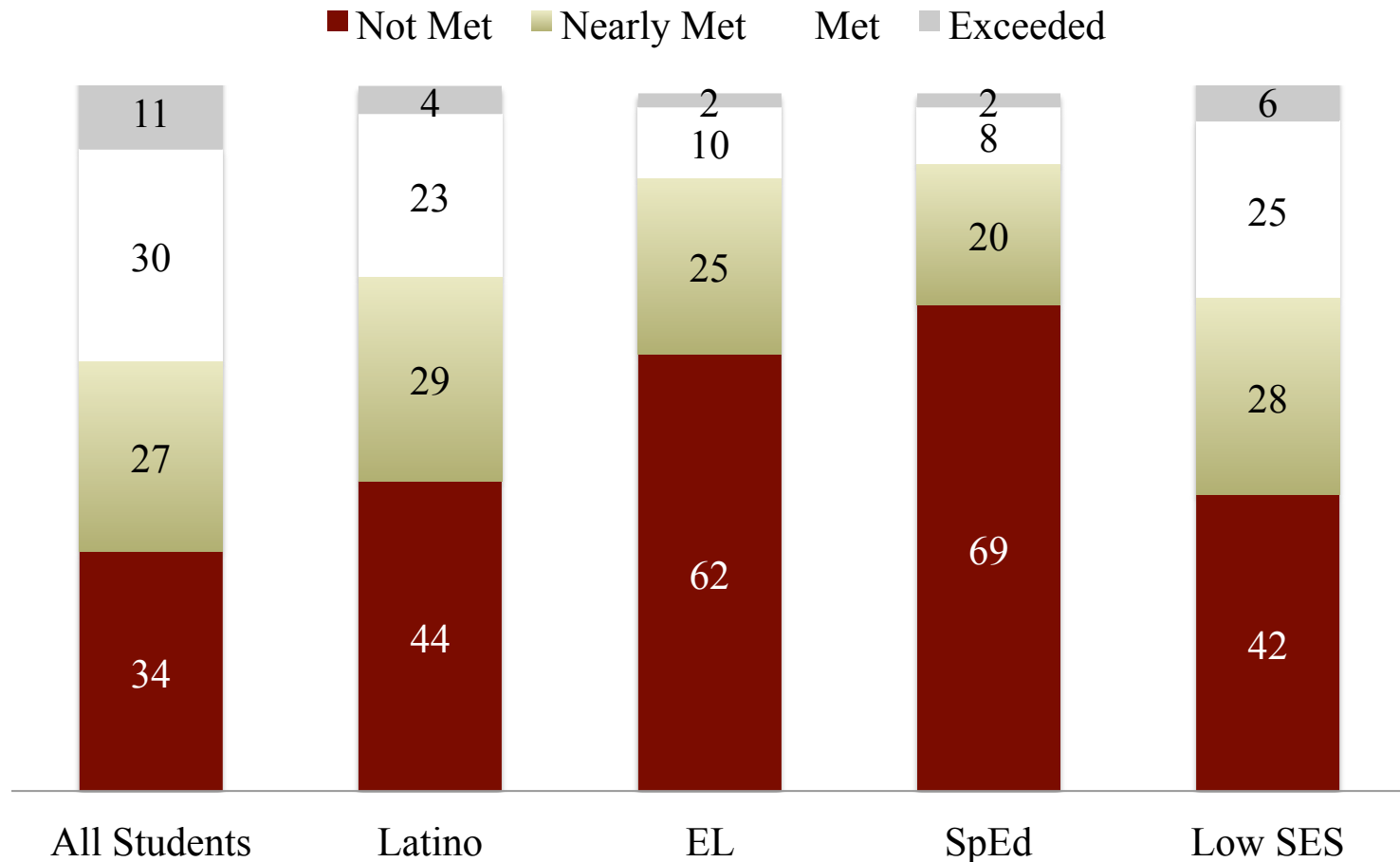
CAASPP ELA Cohort Performance (8th Gr)

| COHORT Proficiency | 2017 ELA | 2018 ELA | 2019 ELA |
|------------------------------------|----------|----------|----------|
| 6 th to 8 th | 29% | 43% | 41% |

■ Not Met (1)
 ■ Nearly Met (2)
 ■ Met (3)
 ■ Exceeded (4)



ELA Group Proficiency Bands



Assessments

English Language Arts (CAASPP)

Reading (STAR)

Comprehension (SRI)

Decoding/Fluency
(SPI)



EOY STAR Reading Growth

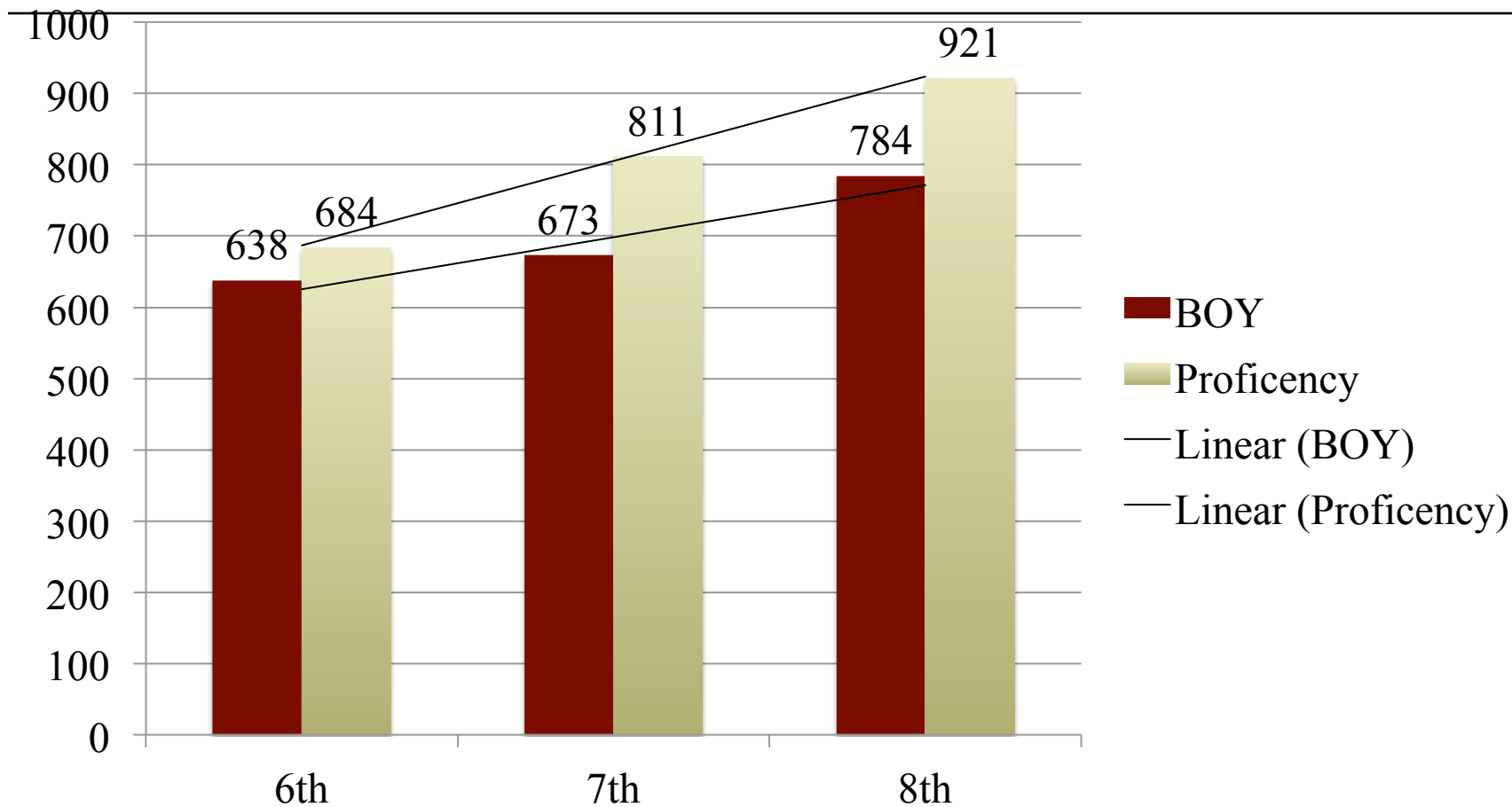
| | Beg GE | End GE | GE Growth |
|-----------------|---------------|---------------|------------------|
| 6 th | 5.0 | 5.6 | +.6 |
| 7 th | 6.0 | 6.4 | +.4 |
| 8 th | 6.4 | 6.9 | +.5 |
| Overall | 6.0 | 6.4 | +.4 |
| Latino | 5.3 | 5.8 | + .5 |
| EL | 4.0 | 4.4 | + .4 |
| SED | 5.4 | 5.9 | + .5 |
| Sped | 4.1 | 4.7 | + .6 |

EOY Reading Inventory (SRI) for <20th %

| | Total Students | Avg Lexile Growth | STAR Growth/PR |
|-------------------|-----------------------|--------------------------|-----------------------|
| ELD 1 | 10 | 80 | +.2 / 1% |
| ELD 2 | 9 | 194 | +.4 / 3% |
| R180-6th | 47 | 119 | +.5 / 9% |
| R180+ 7th | 41 | 128 | +.6 / 6% |
| Reading Intensive | 39 | 120 | + .4 / 17% |

Current Reading Data

STAR Reading - BOY Scaled Score Avg



STAR Reading Scores (BOY)

| Overall =726 | | | | |
|-----------------|-----------|-----------|----------|---------|
| | <10% | 10-24% | 25-49% | 50%+ |
| 6 th | 16% (35) | 21.5%(46) | 28%(57) | 32%(69) |
| 7 th | 17.5%(41) | 23% (54) | 24%(56) | 27%(63) |
| 8 th | 20%(53) | 19%(51) | 25% (66) | 35%(81) |
| TOTAL | 18% | 21% | 25% | 29% |

Note: Does Not Include ELD Newcomers or SDC
-41 students did not complete test (6-7%)

Local Assessment

English Language Arts (CAASPP)

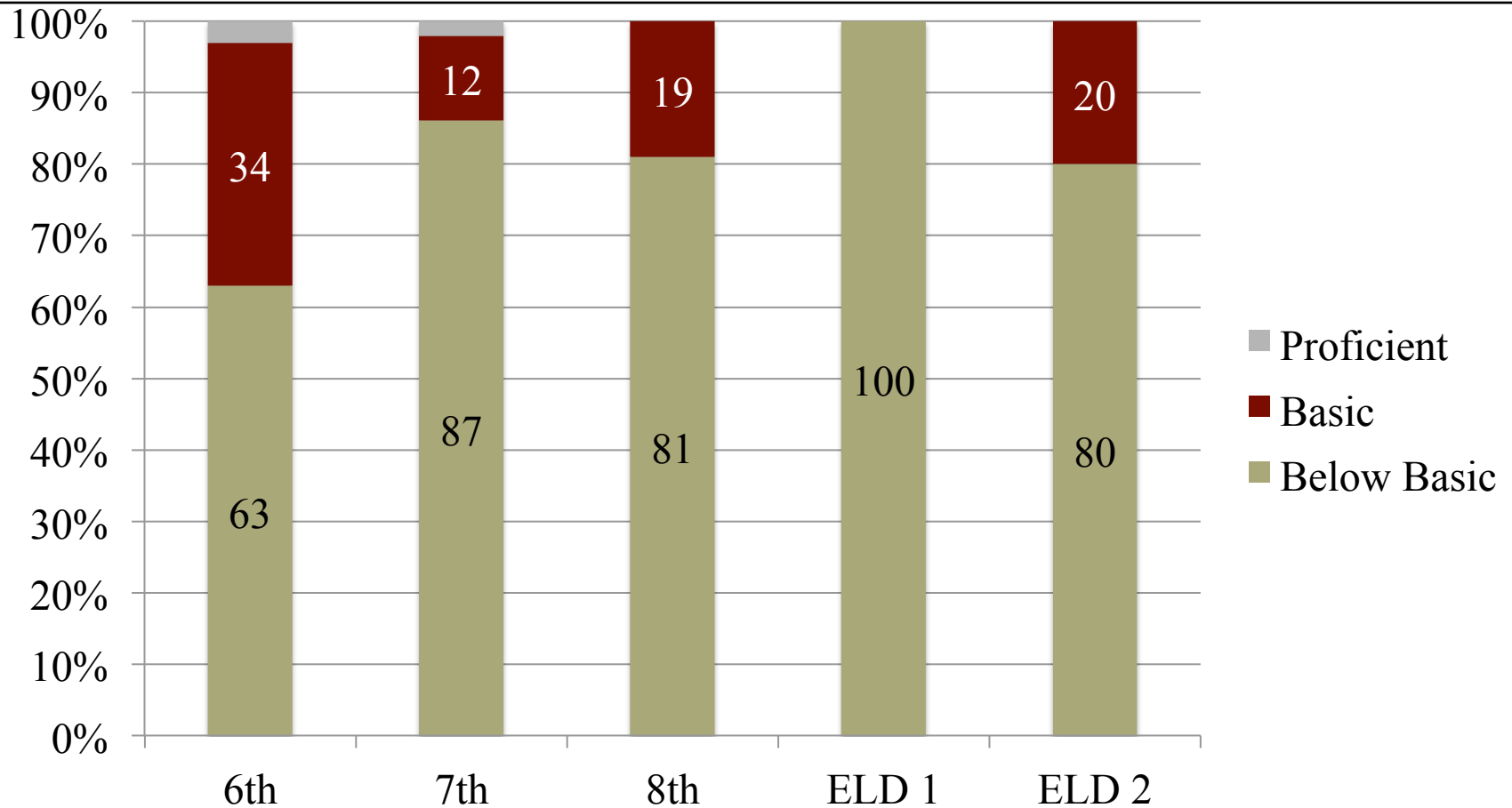
Reading (STAR)

Comprehension (SRI)

Decoding/Fluency
(SPI)

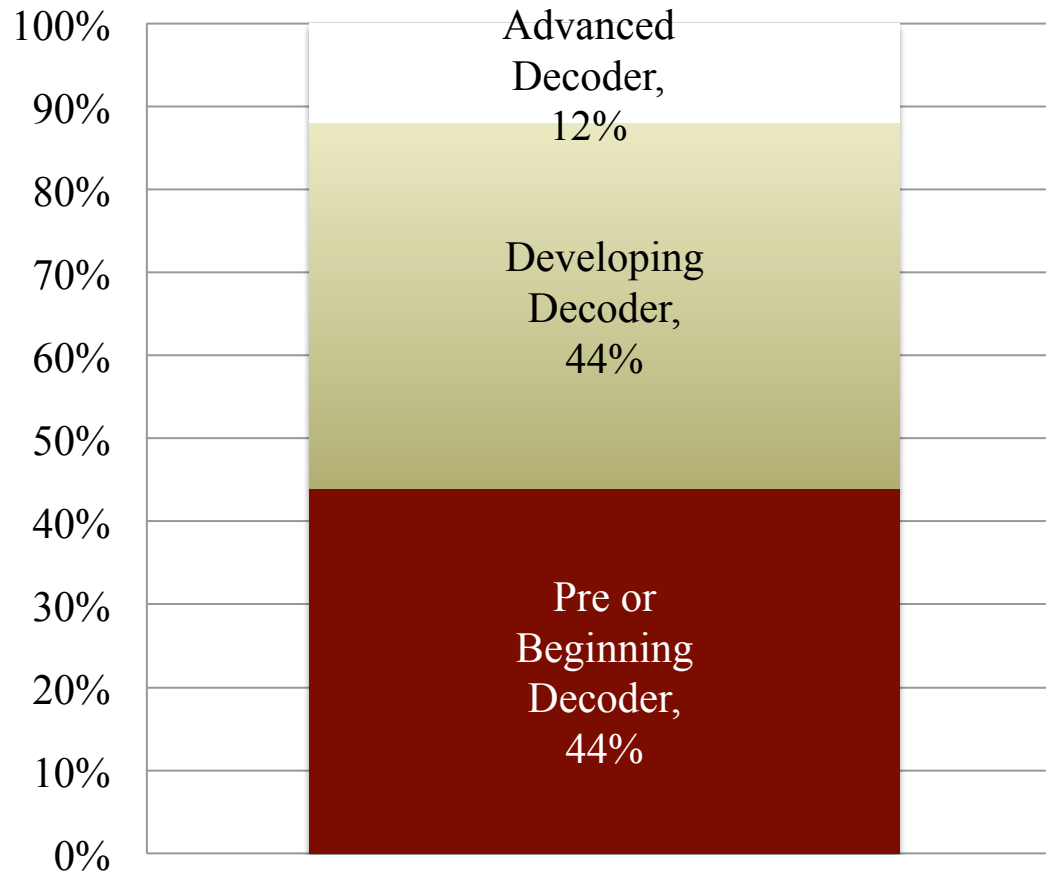


Reading Inventory (<20th %)



+Four students have been moved out of Read 180 since the beginning of the year

Phonics Inventory – 71 (6th grade)



Area of Need: Fluency (Both Sight words and Nonsense words)

Year-End Math Data

2018-2019

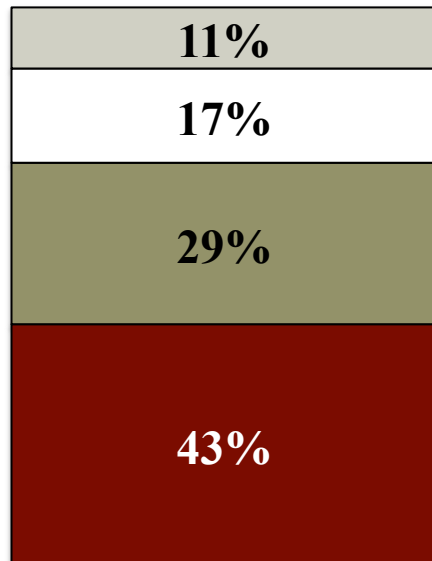
CAASPP Math Proficiency 2019

| | 2017 Math | 2018 Math | 2019 Math |
|-----|------------------|------------------|------------------|
| 6th | 28% | 28% | 27% |
| 7th | 27% | 26% | 27% |
| 8th | 26% | 27% | 21% |

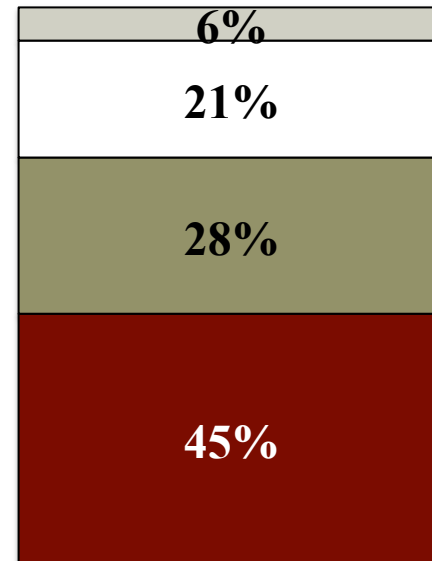
CAASPP Math Cohort Performance (7th Gr)

| COHORT Proficiency | 2018 Math | 2019 Math |
|------------------------------------|-----------|-----------|
| 6 th to 7 th | 28% | 27% |

■ Not Met ■ Nearly Met □ Met □ Exceeded



Math 6 2018

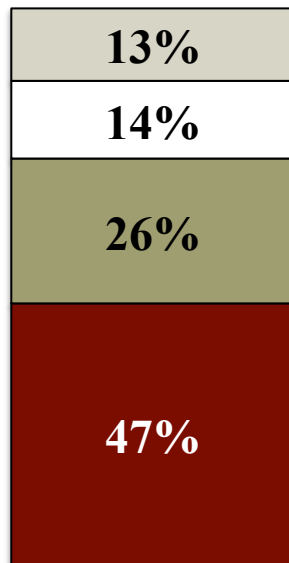


Math 7 2019

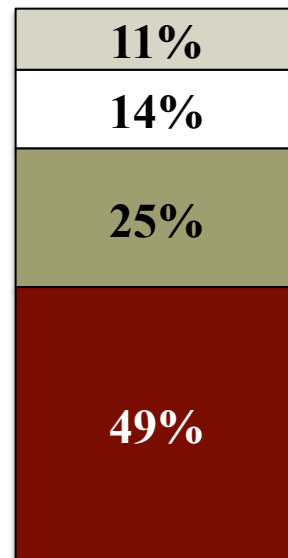
CAASPP Math Cohort Performance (8th Gr)

| COHORT Proficiency | 2017 Math | 2018 Math | 2019 Math |
|------------------------------------|-----------|-----------|-----------|
| 6 th to 8 th | 27% | 25% | 21% |

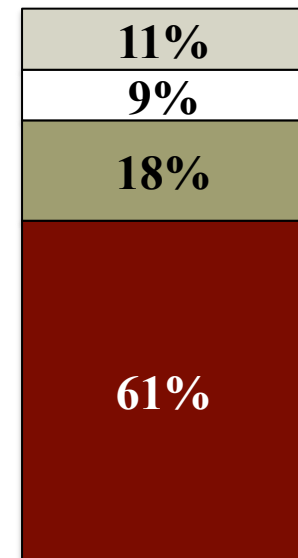
■ Not Met
 ■ Nearly Met
 □ Met
 ■ Exceeded



Math 6 2017

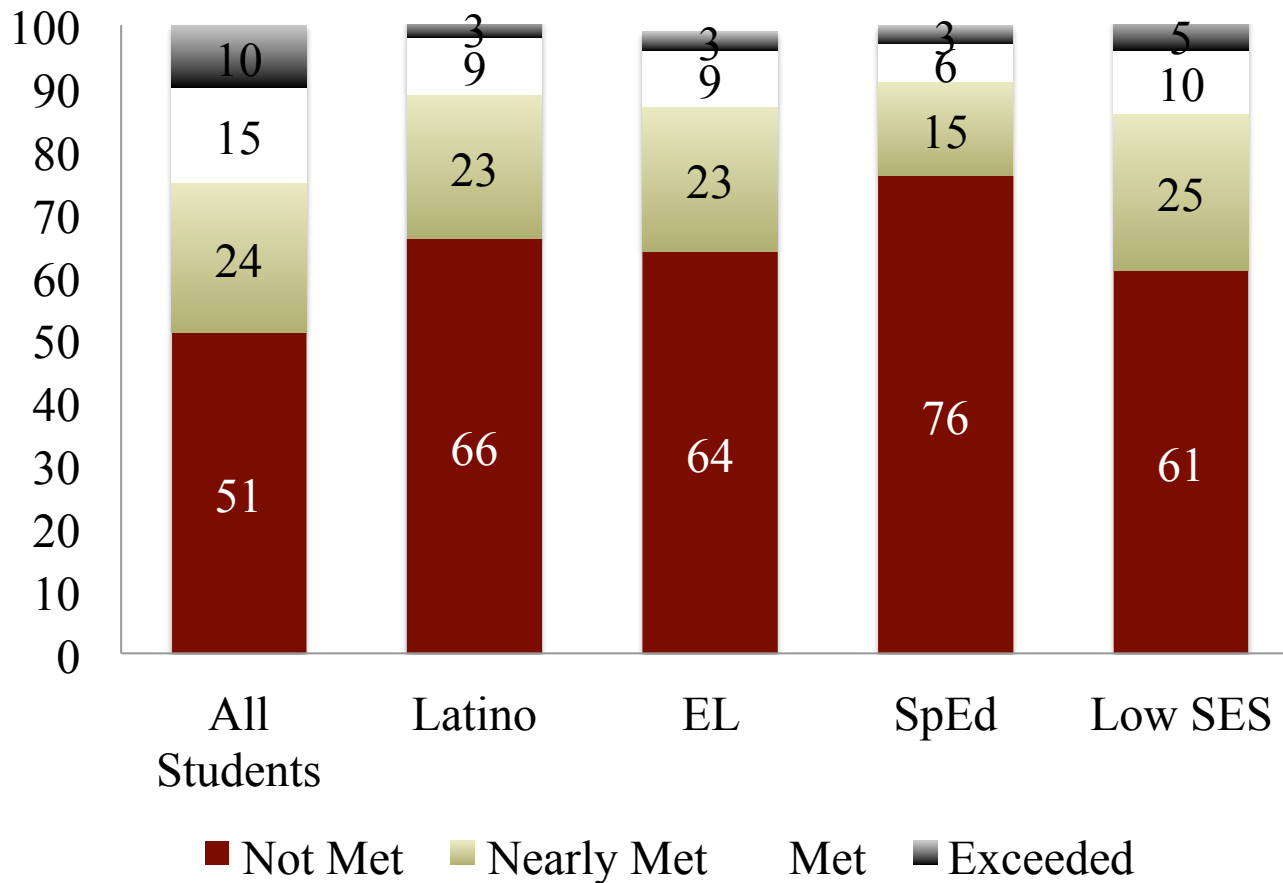


Math 7 2018



Math 8 2019

Math Group Proficiency Bands



Current Math Data

NWEA Baseline

8th
Grade

| Lo %ile < 21 | | LoAvg %ile 21-40 | | Avg %ile 41-60 | | HiAvg %ile 61-80 | | Hi %ile > 80 | |
|-----------------|-----|---------------------|-----|-------------------|-----|---------------------|-----|-----------------|----|
| count | % | count | % | count | % | count | % | count | % |
| 100 | 38% | 58 | 22% | 43 | 17% | 37 | 14% | 22 | 8% |

7th
Grade

| Lo %ile < 21 | | LoAvg %ile 21-40 | | Avg %ile 41-60 | | HiAvg %ile 61-80 | | Hi %ile > 80 | |
|-----------------|-----|---------------------|-----|-------------------|-----|---------------------|-----|-----------------|-----|
| count | % | count | % | count | % | count | % | count | % |
| 80 | 34% | 53 | 23% | 44 | 19% | 31 | 13% | 24 | 10% |

6th
Grade

| Lo %ile < 21 | | LoAvg %ile 21-40 | | Avg %ile 41-60 | | HiAvg %ile 61-80 | | Hi %ile > 80 | |
|-----------------|-----|---------------------|-----|-------------------|-----|---------------------|-----|-----------------|-----|
| count | % | count | % | count | % | count | % | count | % |
| 72 | 32% | 42 | 19% | 51 | 23% | 33 | 15% | 24 | 11% |

Action Plan

Action Plan

Tier 1 – Schoolwide

- ❑ Vertical Alignment of Skills
- ❑ Focus on Academic Discourse
- ❑ Effective Feedback
- ❑ Instructional Coach Support

Tier 2/3 -- Targeted

Within Grade Level classes:

- ❑ Conferring / small group
- ❑ *Push-in reading intervention support*

Intensive:

- ❑ Intervention Courses ELA
- ❑ Intervention Flex (expanded)
- ❑ *After School Case Management / Reading Class**

Intervention (Courses, Flex, After School)

| Course Title | Total Students | | FLEX/AS Title | Total Students |
|---------------------------|----------------|--|---------------|----------------|
| ELD 1 | 14 | | EL Support | 114 |
| ELD 2 | 19 | | Power Reading | 50 |
| R180-6 th | 53 | | PowerMath | 78 |
| R180+ 7 th | 38 | | Study Skills | 42 |
| Read Int -8 th | 41 | | Social Skills | 43 |
| Total | 165 (22%) | | Total | 327 (43%) |

21% of students <20% in STAR Reading grew one performance band

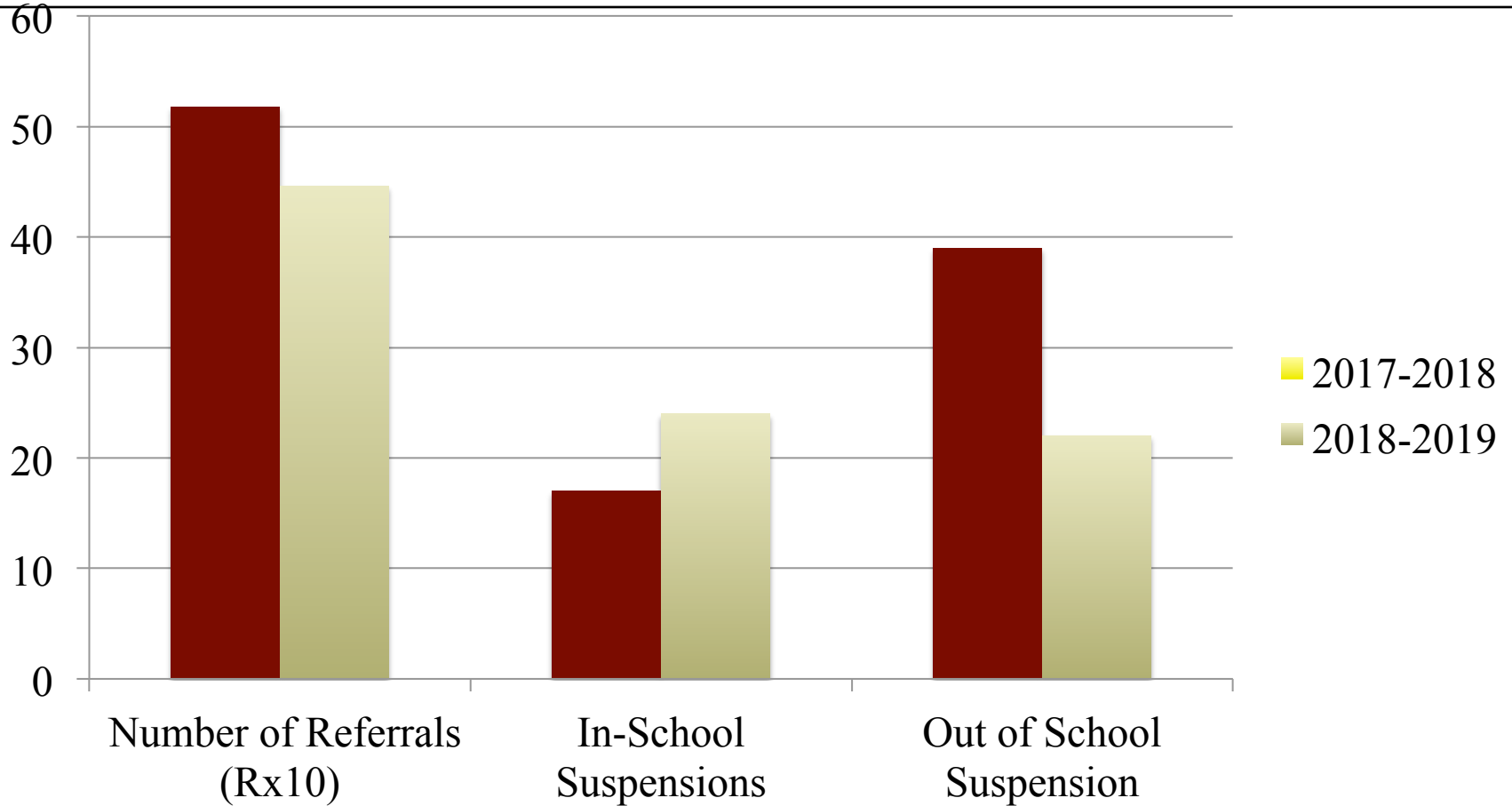
School Climate

Year-End Data

2018-2019

All Students

Year-to-Year Comparison 2018-19



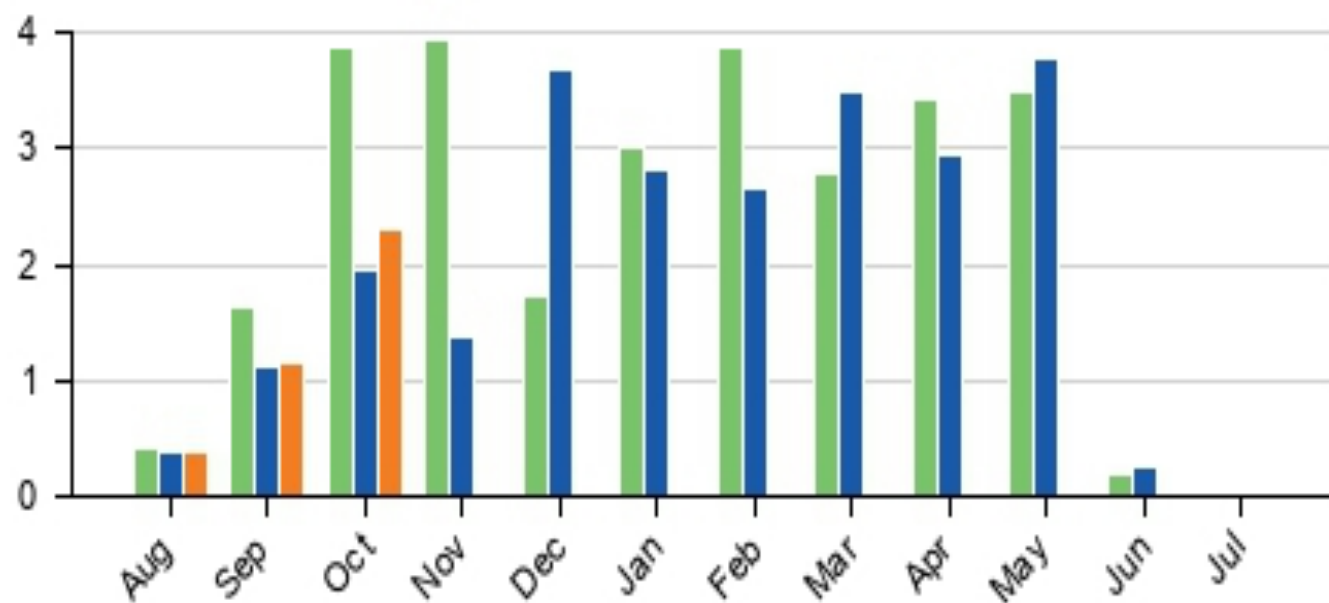
Current Data

Average Referrals Per Day Per Month - Multi-Year

All, 2017-18 - 2019-20



Average Referrals Per Day



Classroom vs. Non-Classroom Referrals

| | Aug – Oct 2018 | Aug – Oct 2019 | % Change |
|----------------------|---------------------------|---------------------------|-----------------|
| # Classroom | 51 | 43 | -15% |
| # Non- Classroom* | 19 | 33 | +73% |

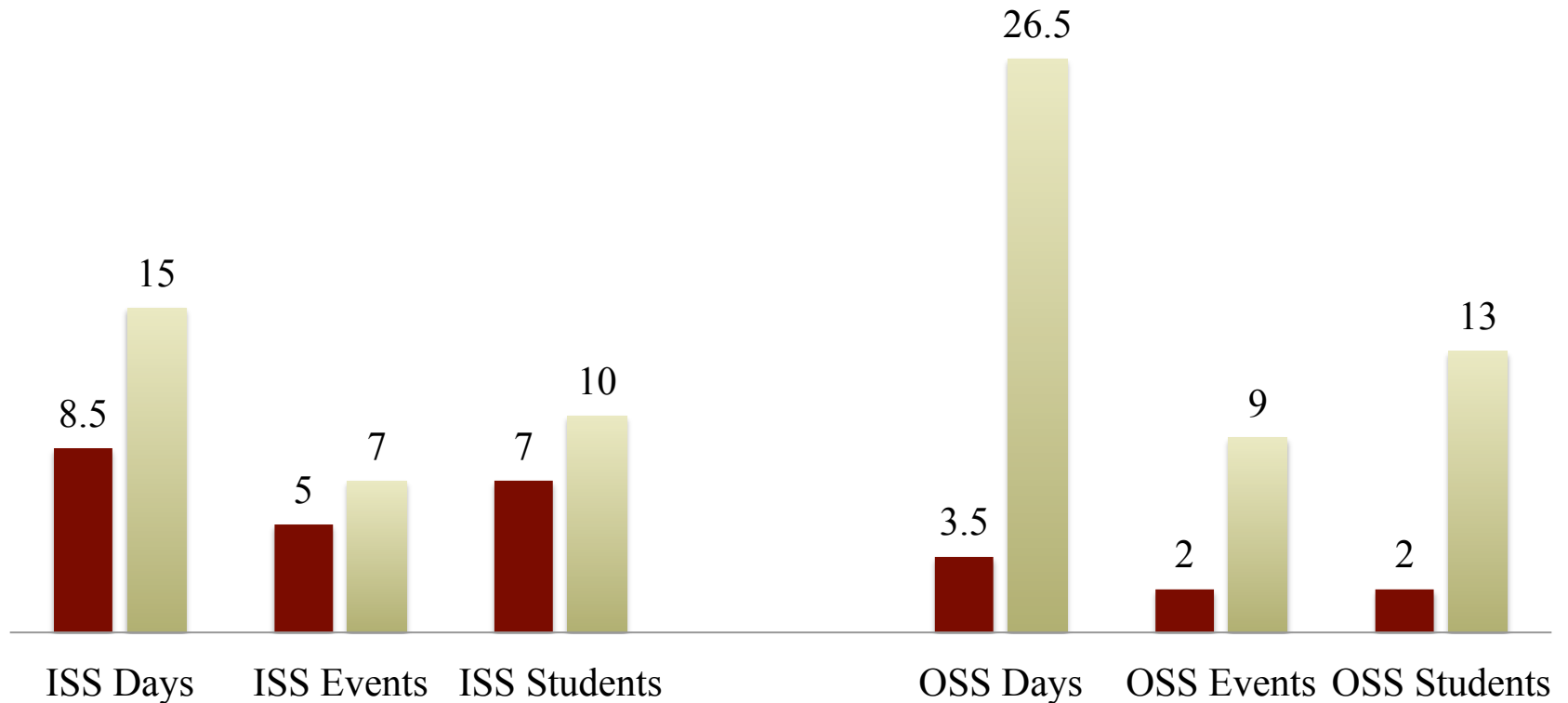
*Non-classroom referrals are higher level “safety” referrals (fighting, vaping, etc.)

Referrals by Tier

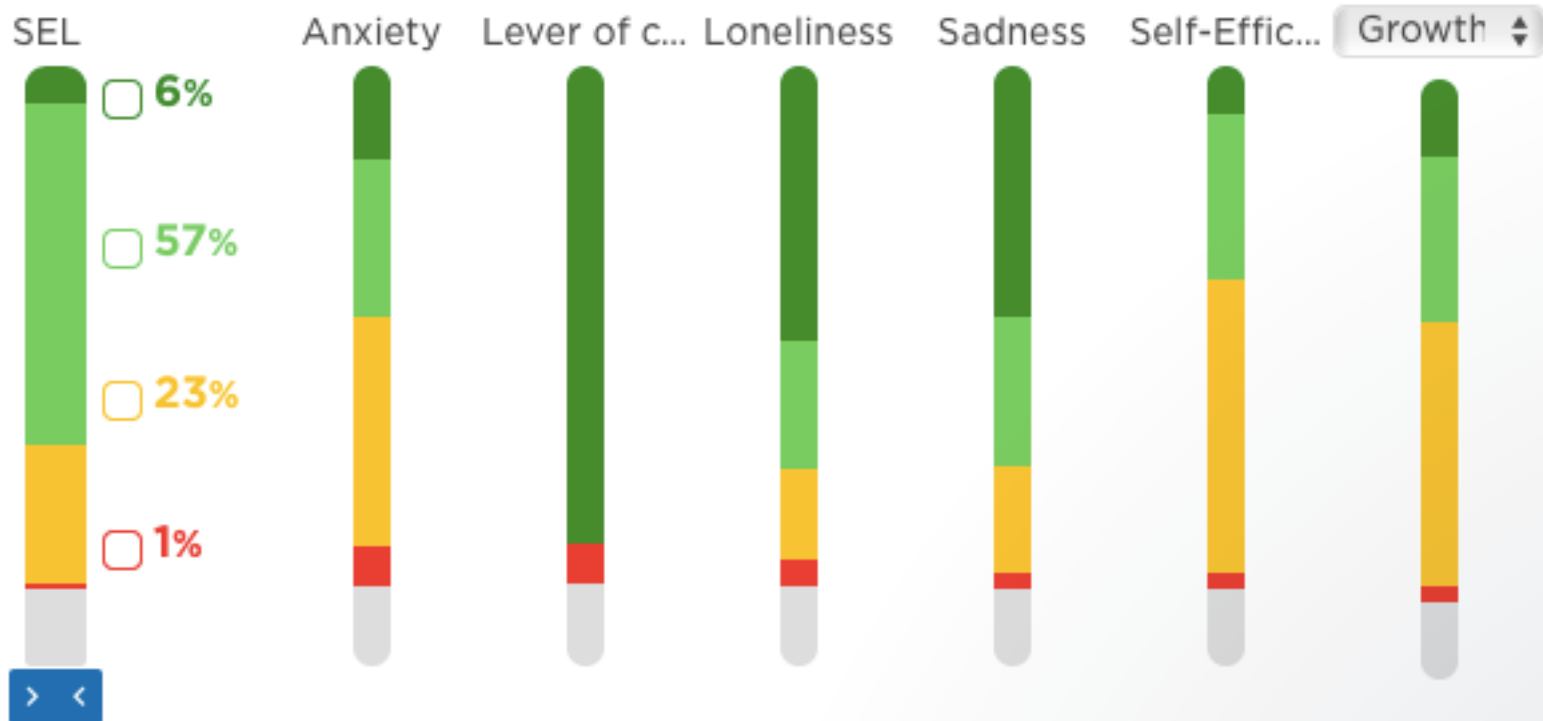
| | <u>Tier 1</u> 0-1 Referrals | <u>Tier 2</u> 2-5 Referrals | <u>Tier 3</u> 6- more referrals |
|-----------------|-----------------------------------|-----------------------------------|---------------------------------------|
| Aug-Oct 2019 | 736 students (98%) | 10 Students (1%) | 1 Student (.001%) |
| | 10 STRIVE (4 w/0) | 6 STRIVE | 0 STRIVE |

Suspensions (In-School / Out of School)

■ Aug - Oct. 2018 ■ Aug - Oct. 2019



Root Causes





Root Causes / Effects

Causes

- ❑ New student influencers
- ❑ Trauma / Internal Pain
 - Loss of parent / Sick parent / Absent Parent
 - Unstable home / Domestic Violence
 - Homelessness
- ❑ Academic gaps

Effects

- ❑ Vaping
- ❑ Fighting
- ❑ Runaways

School Climate Response

Tier 1 – Schoolwide

Developing Empathy

- Ongoing PBIS (Pup Talks)
- *Restorative Circles**
- *Alcohol, Tobacco, and Other Drugs (ATOD)*
 - *Peer to Peer Prevention Training*
 - *Student Presentation*
 - *Parent Education*

Tier 2/3 -- Targeted

- Home Visits
- *Healing Circles*
- *Girls Circle*
- *Targeted Student Presentations*
 - *Cybersafety*
 - *ATOD*
- STRIVE (Course and Flex)

Parent Education

Tier 1 – Schoolwide

- *Bilingual Outreach Assistant*
- *ELAC/PTSA “redesign”**
 - Circles
 - Student Presentations
- Topical Parent Ed
 - ATOD
 - “Active Supervision”
- Student/Parent Nights
 - Science/Engineering Night

Tier 2/3 -- Targeted

- Targeted Parent Ed
 - ATOD
 - Active Supervision
- *Intervention Reading Nights (3x)**
 - Student-Led Conf / Awards/ Parent Ed



BOARD OF EDUCATION Regular Board Meeting

11/07/2019 07:00 PM

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

9. REVIEW AND DISCUSSION

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/1/2019 at 3:26 PM PST by Annalee Wee

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

9. A. Revised Board Policy 0460 - Local Control and Accountability Plan **Contact Person**

Benjamin H. Picard, Ed.D. - Superintendent

Description

Board Policy 0460 - Local Control and Accountability Plan was updated to delete the section on "Technical Assistance/Intervention," as that material is now addressed in BP 0520 - Intervention for Underperforming Schools. A paragraph was added to generally address actions that may be taken whenever a school or a numerically significant student group is not making sufficient progress toward the goals in the local control and accountability plan (LCAP).

The revised accompanying Administrative Regulation 0460 - Local Control and Accountability Plan can be found under Information Agenda items for your review.

All revisions are in bold text.

Supporting Documents

[BP0460 Local Control and Accountability Plan REVISED 110719.pdf](#)

Created on 10/28/2019 at 4:36 PM PST by Annalee Wee
Last Modified on 10/28/2019 at 7:11 PM PST by Annalee Wee

Philosophy, Goals, Objectives, and Comprehensive Plans

Local Control and Accountability Plan

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A comprehensive, data-driven planning process shall be used to identify annual goals and specific actions **which are aligned with the district budget and** facilitate continuous improvement of district practices.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0415 - Equity)

The Board shall adopt a districtwide local control and accountability plan (LCAP), based on the template adopted by the State Board of Education (**SBE**), that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and **two** subsequent fiscal years. (Education Code 52060, 52064; 5 CCR 15494-15497)

(cf. 3100 - Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" or are part of any numerically significant student subgroup that is at risk of or is underperforming.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth, as defined in Education Code 42238.01 for purposes of the local control funding formula (**LCFF**). (Education Code 42238.02)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Learners)

Numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students. (Education Code 52052)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall review the **school** plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

(cf. 0400 - Comprehensive Plans)
(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

As part of the LCAP adoption and annual update to the LCAP, the Board shall separately adopt an LCFF budget overview for parents/guardians, based on the template developed by the SBE, which includes specified information relating to the district's budget. The budget overview shall be adopted, reviewed, and approved in the same manner as the LCAP and the annual update. (Education Code 52064.1)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

The Superintendent or designee shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

(cf. 1220 - Citizen Advisory Committees)
(cf. 4140/4240/4340 - Bargaining Units)
(cf. 6020 - Parent Involvement)

Public Review and Input

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include **parents/guardians** of unduplicated **students** as defined above. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners **to review and comment on the LCAP**. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

(cf. 5145.6 - Parental Notifications)

As part of the parent/**guardian** and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

The Superintendent or designee shall consult with the administrator(s) of the special education local plan area of which the district is a member to ensure that specific actions for students with disabilities are included in the LCAP and are consistent with strategies included in the annual assurances support plan for the education of students with disabilities. (Education Code 52062)

(cf. 0430 - Comprehensive Local Plan for Special Education)

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

(cf. 9320 - Meetings and Notices)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. **(Education Code 52062)**

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

Submission of Plan to County Superintendent of Schools

Not later than five days after adoption of the LCAP, the **district budget, and the budget overview for parents/guardians, the Board shall file the LCAP, the budget, and the budget overview** with the County Superintendent of Schools. (Education Code **42127, 52064.1, 52070**)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Superintendent or designee shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting

within 15 days of receiving the recommendations. (Education Code 52070)

If the County Superintendent does not approve the district's LCAP, the Board shall accept technical assistance from the County Superintendent focused on revising the plan so that it can be approved. (Education Code 52071)

Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by the Superintendent and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance reported on the California School Dashboard. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

The Superintendent or designee shall seek and/or accept technical assistance or other intervention that may be required pursuant to Education Code 52071 or 52072 or 20 USC 6311 when a school or a numerically significant student subgroup is not making sufficient progress toward the goals in the LCAP.

(cf. 0520 - Intervention for Underperforming Schools)

(cf. 0520.1 - Comprehensive and Targeted Support and Improvement)

Legal Reference:

EDUCATION CODE

305-306 English language education

17002 State School Building Lease-Purchase Law, including definition of good repair

33430-33436 Learning Communities for School Success Program; grants for LCAP implementation

41020 Audits

41320-41322 Emergency apportionments

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

47604.33 Submission of reports by charter schools

47606.5 Charter schools, local control and accountability plan

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

51220 Course of study for grades 7-12

52052 Numerically significant student subgroups

52059.5 Statewide system of support

52060-52077 Local control and accountability plan

52302 Regional occupational centers and programs

52372.5 Linked learning program

54692 Partnership academies

60119 Sufficiency of textbooks and instructional materials; hearing and resolution

60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission

64001 **School** plan for student achievement

99300-99301 Early Assessment Program

WELFARE AND INSTITUTIONS CODE

300 Dependent child of the court

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

15494-15497 Local control and accountability plan and spending requirements

UNITED STATES CODE, TITLE 20

6311 State plan

6312 Local educational agency plan

6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

The California School Dashboard and Small Districts, October 2018

Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016

LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

California School Dashboard

LCFF Frequently Asked Questions

Local Control and Accountability Plan and Annual Update (LCAP) Template

Family Engagement Framework: A Tool for California School Districts, 2014

California Career Technical Education Model Curriculum Standards, 2013

California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Common Core State Standards: Mathematics, rev. 2013

California English Language Development Standards, 2012

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

California School Dashboard: <http://www.caschooldashboard.org>

Policy

adopted: ~~February 15, 2018~~

SUNNYVALE SCHOOL DISTRICT

Sunnyvale, California

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

9. B. New Board Policy 0520 - Intervention for Underperforming Schools **Contact Person**

Benjamin H. Picard, Ed.D. - Superintendent

Description

New Board Policy 0520 - Intervention for Underperforming Schools contains material formerly in BP 0460 - Local Control and Accountability Plan regarding interventions to support the continuous improvement of student performance within the priorities identified in the district's LCAP. A paragraph was added to reference interventions that will be provided to schools identified by the California Department of Education (CDE) for comprehensive support and improvement (CSI), targeted support and improvement (TSI), and additional targeted support and improvement (ATSI).

Supporting Documents[BP0520 Intervention for Underperforming Schools NEW 110719.pdf](#)

Created on 10/28/2019 at 4:37 PM PST by Annalee Wee
Last Modified on 10/28/2019 at 7:12 PM PST by Annalee Wee

Philosophy, Goals, Objectives, and Comprehensive Plans

Intervention for Underperforming Schools

The Governing Board desires that all district schools provide a high-quality educational program that maximizes the achievement of each district student. The district shall provide assistance to schools to support the continuous improvement of student performance within the priorities identified in the district's local control and accountability plan (LCAP) and to enhance the achievement of low-performing student subgroups.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0500 - Accountability)

At its discretion, the Board may submit a request to the County Superintendent of Schools for technical assistance regarding the following: (Education Code 52071)

1. Identifying the district's strengths and weaknesses in regard to state priorities addressed in the LCAP, including collaboration between the district and County Superintendent to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness
2. Securing assistance from an academic, programmatic, or fiscal expert, or team of experts, to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the district

In the event that the County Superintendent requires the district to receive technical assistance based on a determination that one or more numerically significant student subgroups in a district school meet the performance criteria established pursuant Education Code 52064.5, the Board shall work with the County Superintendent and shall provide the County Superintendent timely documentation of the district's completion of the activities listed in items #1-2 above or substantially similar activities. (Education Code 52071)

With the approval of the County Superintendent, the district may, at its own expense, engage another service provider, including, but not limited to, another school district, the county office of education, or a charter school, to act as a partner to the district in filling the district's need for technical assistance. (Education Code 52071)

If referred to the California Collaborative for Educational Excellence by either the County Superintendent or the Superintendent of Public Instruction (SPI), the district shall implement the recommendations of that agency in order to accomplish the goals set forth in the district's LCAP. (Education Code 52071, 52074)

If the SPI identifies the district as needing intervention, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following: (Education Code 52072)

1. Revision of the district's LCAP
2. Revision of the district's budget, in conjunction with changes in the LCAP, that would allow the district to improve the outcomes for all student subgroups in regard to state and local priorities

3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

In addition, any school identified by the California Department of Education for comprehensive support and improvement, targeted support and improvement, or additional targeted support and improvement shall develop and implement a school plan in accordance with 20 USC 6311. Such schools may be required to partner with an external entity, agency, or individual with demonstrated expertise and capacity to identify and implement more rigorous interventions.

(cf. 0420 - School Plans/Site Councils)
(cf. 0520.1 - Comprehensive and Targeted Support and Improvement)

Legal Reference:

EDUCATION CODE

52052 Numerically significant student subgroups

52059.5 Statewide system of support

52060-52077 Local control and accountability plan

60640-60649 California Assessment of Student Performance and Progress

64001 School plan for student achievement

UNITED STATES CODE, TITLE 20

6311-6322 Improving basic programs for disadvantaged students, especially:

6311 State plans

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Dashboard

CSI/TSI/ATSI Frequently Asked Questions

California ESSA Consolidated State Plan, 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Non-Regulatory Guidance: Using Evidence to Strengthen Education Investments, 2016

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

California School Dashboard: <http://www.caschooldashboard.org>

U.S. Department of Education: <http://www.ed.gov>

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

9. C. New Board Policy 0520.1 - Comprehensive and Targeted Support and Improvement **Contact Person**

Benjamin H. Picard, Ed.D. - Superintendent

Description

Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement and family engagement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of supplemental and concentration grants under the local control funding formula (LCFF)); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities and goals. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

This new policy addresses the state's accountability system, developed in response to federal Title I requirements, to provide interventions to schools identified by CDE for CSI, TSI, and ATSI. Policy includes criteria for the identification of schools, requirements for a school improvement plan, and actions to be taken if implementation of the school plan is unsuccessful after a specified period of years.

Supporting Documents[BP0520.1 Comprehensive and Targeted Support and Improvement NEW 110719.pdf](#)

Created on 10/28/2019 at 5:04 PM PST by Annalee Wee
Last Modified on 10/28/2019 at 7:13 PM PST by Annalee Wee

Philosophy, Goals, Objectives, and Comprehensive Plans

Comprehensive and Targeted Support and Improvement

The Governing Board is committed to enabling all district students to meet state academic achievement standards. The district shall provide support and assistance to increase student achievement in all district schools, especially any school that has been identified by the California Department of Education (CDE) as in need of comprehensive support and improvement (CSI), targeted support and improvement (TSI), or additional targeted support and improvement (ATSI).

(cf. 0500 - Accountability)

(cf. 0520 - Intervention for Underperforming Schools)

(cf. 6011 - Academic Standards)

(cf. 6171 - Title I Programs)

When any school is identified for CSI, TSI, or ATSI, the Superintendent or designee shall notify the school community, including the principal, teachers, and parent/guardians of students of the school, of the identification and, if applicable, shall inform the school of the student subgroup(s) which are consistently underperforming at the school.

School Plan

Upon receiving notification from CDE that a district school has been identified as eligible for CSI, TSI, or ATSI, the district shall, in partnership with principals, other school leaders, teachers, and parents/guardians, develop and implement a plan to improve student outcomes at the school. The plan shall: (20 USC 6311)

1. Be based on all state indicators in the California School Dashboard, including student performance against state-determined long-term goals, except that any school subject to the state's Dashboard Alternative School Status that has fewer than 100 students may focus on the state indicators that are more applicable to the nature of its program
2. Be based on a school-level needs assessment
3. Include evidence-based interventions
4. If the school is identified for CSI or ATSI, identify resource inequities, which may include a review of district and school-level budgets, to be addressed through implementation of the plan

(cf. 0400 - Comprehensive Plans)

The school plan for student achievement developed pursuant to Education Code 64001 may serve as the school improvement plan required for CSI, TSI, or ATSI, provided that the plan meets the requirements of 20 USC 6311. (Education Code 64001)

(cf. 0420 - School Plans/Site Councils)

The school improvement plan shall be submitted to the Board for approval. (20 USC 6311)

If any district school is identified for CSI, the district's local control and accountability plan shall include

descriptions of how the district provides support to CSI school(s) in developing the CSI plan and how the district will monitor and evaluate the implementation and effectiveness of the CSI plan to support student and school improvement.

(cf. 0460 - Local Control and Accountability Plan)

Monitoring and Intervention

The Board and the Superintendent or designee shall regularly review the performance of each school identified for CSI, TSI, or ATSI.

After two years of implementing the school plan, if any such school has been unsuccessful in improving student outcomes to a level that exceeds initial eligibility criteria, the district shall identify the problem and take additional action as necessary.

If a school identified for CSI fails to improve student outcomes within four years to a level that exceeds the CSI eligibility criteria, it shall be subject to more rigorous interventions that include, but are not limited to, partnering with an external entity, agency, or individual with demonstrated expertise and capacity to:

1. Conduct a new needs assessment that focuses on systemic factors and conduct a root cause analysis that identifies gaps between current conditions and desired conditions in student performance and progress
2. Use the results of the analysis along with stakeholder feedback to develop a new improvement plan that includes:
 - a. A prioritized set of evidence-based interventions and strategies
 - b. A program evaluation component with support to conduct ongoing performance and progress monitoring

Legal Reference:

EDUCATION CODE

52052 Numerically significant student subgroups

52059.5 Statewide system of support

52060-52077 Local control and accountability plan

64001 School plan for student achievement

UNITED STATES CODE, TITLE 20

6311-6322 Improving basic programs for disadvantaged students, especially:

6311 State plans

6313 Eligibility of schools and school attendance areas; funding allocation

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Dashboard

CSI/TSI/ATSI Frequently Asked Questions

California ESSA Consolidated State Plan, 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Non-Regulatory Guidance: Using Evidence to Strengthen Education Investments, 2016
WEB SITES

California Department of Education: <http://www.cde.ca.gov>

California School Dashboard: <http://www.caschooldashboard.org>

U.S. Department of Education: <http://www.ed.gov>

Policy
adopted:


SUNNYVALE SCHOOL DISTRICT
Sunnyvale, California

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

9. D. Revised Board Bylaw 9323 - Meeting Conduct **Contact Person**

Benjamin H. Picard, Ed.D. - Superintendent

Description

Board Bylaw 9323 - Meeting Conduct was updated to clarify circumstances under which the board may exercise flexibility in allocating time for public input to ensure full opportunity for public input and presentation of the diversity of viewpoints.

All revisions are in bold text.

Supporting Documents

[BB9323 Meeting Conduct REVISED 110719.pdf](#)

Created on 10/28/2019 at 5:09 PM PST by Annalee Wee
Last Modified on 10/28/2019 at 7:14 PM PST by Annalee Wee

Board Bylaws

Meeting Conduct

Meeting Procedures

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

(cf. 9322 - Agenda/Meeting Materials)

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

(cf. 9121 - President)

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned at 10:00 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and subsequently may be adjourned to a later date.

(cf. 9320 - Meetings and Notices)

Quorum and Abstentions

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

(cf. 9323.2 - Actions by the Board)

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, **the** abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

(cf. 9270 - Conflict of Interest)

Public Participation

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5; Government Code 54954.3)

2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5; Government Code 54954.2)

3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, Board **members** or staff members may ask a question for clarification, make a brief announcement, or make a brief report on **their** own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

(cf. 9130 - Board Committees)

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

In general, individual speakers will be allowed three minutes to address the Board on each agenda or nonagenda item, and the Board will limit the total time for public input on each item to 20 minutes. However, in exceptional circumstances when necessary to ensure full opportunity for public input, the Board president may, with Board consent, adjust the amount of time allowed for public input and/or the time allotted for each speaker. Any such adjustment shall be done equitably so as to allow a diversity of viewpoints. The president may also ask members of the public with the same viewpoint to select a few individuals to address the Board on behalf of that viewpoint.

In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

6. The Board president may rule on the appropriateness of a topic, subject to the following conditions:

a. If a topic would be suitably addressed at a later time, the Board president may indicate the time and place when it should be presented.

b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)

c. The Board shall not prohibit public criticism of district employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 9321 - Closed Session Purposes and Agendas)

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement as necessary.

Recording by the Public

Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The Superintendent or designee may designate locations from which members of the public may make such recordings without causing a distraction.

(cf. 9324 - Board Minutes and Recordings)

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

Legal Reference:

EDUCATION CODE

5095 Powers of remaining board members and new appointees
32210 Willful disturbance of public school or meeting a misdemeanor
35010 Prescription and enforcement of rules
35145.5 Agenda; public participation; regulations
35163 Official actions, minutes and journal
35164 Vote requirements
35165 Effect of vacancies upon majority and unanimous votes by seven member board

CODE OF CIVIL PROCEDURE

527.8 Workplace Violence Safety Act

GOVERNMENT CODE

54953.3 Prohibition against conditions for attending a board meeting
54953.5 Audio or video recording of proceedings

54953.6 Broadcasting of proceedings
54954.2 Agenda; posting; action on other matters
54954.3 Opportunity for public to address legislative body; regulations
54957 Closed sessions
54957.9 Disorderly conduct of general public during meeting; clearing of room

PENAL CODE

403 Disruption of assembly or meeting

COURT DECISIONS

City of San Jose v. Garbett (2010) 190 Cal.App.4th 526
Norse v. City of Santa Cruz (9th Cir. 2010) 629 F3d 966
McMahon v. Albany Unified School District (2002) 104 Cal.App.4th 1275
Rubin v. City of Burbank (2002) 101 Cal.App.4th 1194
Baca v. Moreno Valley Unified School District (1996) 936 F.Supp. 719

ATTORNEY GENERAL OPINIONS

90 Ops.Cal.Atty.Gen. 47 (2007)
76 Ops.Cal.Atty.Gen. 281 (1993)
66 Ops.Cal.Atty.Gen. 336 (1983)
63 Ops.Cal.Atty.Gen. 215 (1980)
61 Ops.Cal.Atty.Gen. 243, 253 (1978)
59 Ops.Cal.Atty.Gen. 532 (1976)
55 Ops.Cal.Atty.Gen. 26 (1972)

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2015
The Brown Act: School Boards and Open Meeting Laws, rev. 2014

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

WEB SITES

CSBA: <http://www.csba.org>

California Attorney General's Office: <http://oag.ca.gov>



BOARD OF EDUCATION Regular Board Meeting

11/07/2019 07:00 PM

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

10. REVIEW AND ACTION

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/1/2019 at 3:26 PM PST by Annalee Wee



BOARD OF EDUCATION Regular Board Meeting

11/07/2019 07:00 PM

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

10. A. Approval of Resolution No. 20-07 Authorizing Contracts Pursuant to Public Contract Code 20118 and Authorization to Enter into an Agreement Incorporating Piggyback Contracts for Relocatable Buildings at Cherry Chase Elementary School

Quick Summary / Abstract

Motion _____ Seconded _____

Roll Call:

Jeff Arnett _____ Michelle Maginot _____ Reid Myers _____

Nancy Newkirk _____ Bridget Watson _____

Contact Person

Rob Smiley, Chief Operations Officer

Description

Management is recommending that the Board authorize the Superintendent to execute a contract associated with the Cherry Chase New Kindergarten Classrooms project totaling the amount of two million five hundred fifty five thousand three hundred thirty-three dollars (\$2,555,333) with American Modular Systems, Inc. ("AMS") for the purchase of relocatable buildings to be installed at Cherry Chase Elementary School.

This purchase utilizes a "piggyback" contract that was bid by the Reef Sunset Unified School District ("Reef Sunset") for Facility Supply Services Contract whereby an invitation to bid was issued on August 25 and September 1, 2018. Reef Sunset awarded the contract to AMS on September 24, 2018 and entered into an agreement on October 31, 2018.

The District may utilize such "piggyback" contracts, without further competitive bidding, for the acquisition of the relocatable buildings pursuant to Section 20118 of the California Public Contract Code, which provides that, notwithstanding Sections 20111 and 20112, the governing board of any school district, without advertising for bids, if the board has determined it to be in the best interests of the district, may authorize the lease or purchase of personal property directly from a vendor by contract, lease, requisition, or purchase order and make payment to the vendor under the same terms that are available to a public corporation or agency under an existing contract between the public corporation or agency and a vendor for the lease or purchase of the personal property.

This agreement incorporating a piggyback contract for relocatable buildings has been reviewed and approved by District legal counsel and is available for public inspection upon request.

Recommendation

The Superintendent recommends that the Board of Education approve Resolution No. 20-07 authorizing a contract pursuant to public contract code 20118 and award the contract in the amount of \$2,555,333 to American Modular Systems, Inc. for the purchase of relocatable buildings.

Supporting Documents

[Agreement Incorporating Piggyback Contract - Gen 7 Portable Classrooms 3472412 1\(DMS\).pdf](#)

[Resolution No. 20-07 - Piggyback Contract - Cherry Classrooms 11-7-19.pdf](#)

Created on 10/30/2019 at 6:08 PM PST by Annalee Wee
Last Modified on 10/30/2019 at 6:22 PM PST by Annalee Wee

**AGREEMENT INCORPORATING PIGGYBACK CONTRACT FOR
PORTABLE CLASSROOMS**

This Agreement ("Agreement") is entered into between the Sunnyvale School District ("District") and American Modular Systems, Inc. ("AMS") (each a "Party" and, together, "Parties") in order to incorporate a piggyback contract for portable classrooms, as follows:

RECITALS

WHEREAS, Sunnyvale School District ("District") wishes to purchase certain portable classrooms from AMS in a cost-effective manner, for use at Cherry Chase Elementary School, located at 1138 Heatherstone Way, Sunnyvale, CA 94087 ("Site");

WHEREAS, Public Contract Code section 20118 provides that:

Notwithstanding Sections 20111 and 20112, the governing board of any school district, without advertising for bids, if the board has determined it to be in the best interests of the district, may authorize by contract, lease, requisition, or purchase order, any public corporation or agency, including any county, city, town, or district, to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner in which the public corporation or agency is authorized by law to make the leases or purchases from a vendor. Upon receipt of the personal property, if the property complies with the specifications set forth in the contract, lease, requisition, or purchase order, the school district may draw a warrant in favor of the public corporation or agency for the amount of the approved invoice, including the reasonable costs to the public corporation or agency for furnishing the services incidental to the lease or purchase of the personal property, or the school district may make payment directly to the vendor. Alternatively, if there is an existing contract between a public corporation or agency and a vendor for the lease or purchase of the personal property, a school district may authorize the lease or purchase of personal property directly from the vendor by contract, lease, requisition, or purchase order and make payment to the vendor under the same terms that are available to the public corporation or agency under the contract.

WHEREAS, the Reef-Sunset Unified School District ("RSUSD") published a notice to bidders on or about August 25, 2018, and September 1, 2018, obtained a bid from AMS for a facility supply services contract, including to supply and install portable classrooms, on or about September 14, 2018, and awarded the contract to AMS on or about September 20, 2018 ("Piggyback Contract");

WHEREAS, the Piggyback Contract included a provision, pursuant to Public Contract Code section 20118, allowing other public agencies, including the District, to purchase the portable classrooms from AMS under the same terms and conditions of the Piggyback Contract;

WHEREAS, the District staff have researched the costs and terms of the Piggyback Contract and believe that the prices under the Piggyback Contract are reasonable and that it is in the best interests of the District to utilize the Piggyback Contract to purchase the portable classrooms from AMS; and

WHEREAS, AMS wishes to provide District with portable classrooms under the same terms as the Piggyback Contract.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein, and for other good and valuable consideration, the Parties agree as follows:

TERMS AND CONDITIONS

1. Incorporation of Piggyback Contract:

1.1. This Agreement fully incorporates by this reference the following documents:

1.1.1. The RSUSD Bid Manual attached hereto as **Exhibit A**, including, without limitation, the Bid Form, the Piggyback Contract, and all other documents attached thereto or incorporated therein by reference or operation of law, excluding only RSUSD-specific drawings, if any.

1.1.2. The AMS Quote, dated October 25, 2019, and Project Cost Summary, dated October 25, 2019, both attached hereto as **Exhibit B**.

1.2. For the purposes of this Agreement, the following references in the Piggyback Contract shall have the following meanings:

1.2.1. All references to "District" or "Owner" in the Piggyback Contract shall mean Sunnyvale School District.

1.2.2. All references to "Site" shall mean Cherry Chase Elementary School, located at 1138 Heatherstone Way, Sunnyvale, CA 94087.

1.2.3. All references to "Project" shall mean the undertaking described in **Exhibit B**.

1.3. To the extent any term or condition of this Agreement is inconsistent with the Piggyback Contract, the Piggyback Contract shall control, except for provisions of this Agreement regarding the Products (as defined below), price, delivery, or installation, which shall control over any contradictory provisions regarding Products, price, delivery, or installation in the Piggyback Contract.

2. Products and Prices:

2.1. AMS hereby agrees to sell and supply, and deliver to and install at the Site, the portable classrooms and building components ("Products") identified in **Exhibit B** and incorporated herein by this reference, at the prices stated therein.

2.2. AMS hereby acknowledges and certifies that the Products indicated in **Exhibit B** are the same as those offered under the Piggyback Contract and the prices indicated in **Exhibit B** are equal to or less than those offered under the Piggyback Contract.

3. Delivery and Installation:

3.1. AMS shall deliver and complete installation of the Products, and complete all Work for the Project, according to the Project Timeline stated in **Exhibit B**, with delivery by July 8, 2020, and installation complete by August 17, 2020. Shipping (F.O.B. Destination) is included in the Contract Price.

3.2. AMS hereby acknowledges and certifies that the services necessary to complete Project are incidental to the purchase of the Products and that such services comprise less than ten percent (10%) of the Contract Price.

4. Payment:

4.1. The Contract Price shall not exceed Two Million, Five Hundred Thirty-Six Thousand, Eight Hundred and 00/100 Dollars (\$2,555,333.00). The Contract Price consists of the cost of all fully-installed Products at the Site, including, without limitation, shipping, taxes, and all Work according to Piggyback Contract.

4.2. District shall pay AMS the Contract Price according to the payment provisions stated the General Conditions of the Piggyback Contract.

5. Labor Compliance: AMS shall comply with all applicable provisions of the California Labor Code, Division 3, Part 7, Chapter 1, Articles 1 – 5, including, without limitation, the payment of the general prevailing per diem wage rates for public work projects of more than one thousand dollars (\$1,000). Copies of the prevailing rate of per diem wages are on file with the District or available online at <http://www.dir.ca.gov/>. In addition, AMS and each subcontractor shall comply with Chapter 1 of Division 2, Part 7 of the California Labor Code, beginning with Section 1720, and including Section 1735, 1777.5 and 1777.6, forbidding discrimination, and Sections 1776, 1777.5 and 1777.6 concerning the employment of apprentices by AMS or subcontractors. Willful failure to comply may result in penalties, including loss of the right to bid on or receive public works contracts.

5.1. Registration: AMS and its subcontractor(s) for all tiers shall be registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 and in accordance with Labor Code section 1771.1.

5.2. Certified Payroll Records: AMS and its subcontractor(s) shall upload certified payroll records ("CPR") electronically using California Department of Industrial Relations' (DIR) eCPR System by uploading the CPRs by electronic XML file or entering each record manually using the DIR's iform (or current form) online on a weekly basis and within ten (10) days of any request by the District or Labor Commissioner at <http://www.dir.ca.gov/Public-Works/Certified-Payroll-Reporting.html> or current application and URL, showing the name, address, social security number, work classification, straight time, and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the AMS and/or each subcontractor in connection with the Work.

5.3. Labor Compliance: AMS shall perform the Work of the Project while complying with all the applicable regulations, including section 16000, et seq., of Title 8 of the California Code of Regulations and is subject to labor compliance monitoring and enforcement by the Department of Industrial Relations.

5.4. Within 30 days of the award of contract or prior to commencing the Work under this Contract, whichever occurs first, AMS shall provide District all information required by Labor Code section 1773.3, as amended by Stats. 2017, Ch. 28, Sec. 21, for AMS and all tiers of Subcontractors to enable District to provide notice to the Department of Industrial Relations (DIR) of the Contract (PWC-100 form).

6. Disputes: **Attachment 1** to this Agreement, setting forth the Public Contract Code sections 9204 and 20104 through 20104.6, is incorporated herein by this reference.

7. Miscellaneous Provisions:

- 7.1. The Parties acknowledge that each of them has fully discussed the contents of this Agreement with their chosen representatives and/or legal counsel and has had the benefit of legal counsel in negotiating and drafting the terms of this Agreement. Accordingly, this Agreement shall not be construed as having been drafted by one Party or the other.
- 7.2. This Agreement and the attachments hereto and the documents specifically incorporated into the Agreement by reference, constitute the entire agreement between the District and AMS. No other promises, agreements, or statements between the Parties shall be binding unless made in writing and signed by the Parties.
- 7.3. This Agreement and the rights and obligations of the Parties hereunder shall be construed and interpreted in accordance with the laws of the State of California. Any action or proceeding to enforce this agreement shall be commenced and maintained in the County in which the District's administrative offices are located.
- 7.4. The Parties hereby agree to execute all such other documents and to take all such other action as may be reasonably necessary to affect the purposes of this Agreement.
- 7.5. This Agreement may be executed in several counterparts and shall be deemed legally effective at such time as counterparts thereof have been duly executed on behalf of all Parties. Signature of copies and facsimile or electronic versions of this Agreement shall have the same force and effect as signature of the original.
- 7.6. All notices to be given under this Agreement shall be in writing to the address of the appropriate Party as set forth below or as provided by written notice to the other Party.

ACCEPTED AND AGREED on the date indicated below:

Dated: _____, 2019

Dated: _____, 2019

Sunnyvale School District

American Modular Systems, Inc.

By: _____

By: _____

Print Name: _____

Print Name: _____

Print Title: _____

Print Title: _____

Address:

Address:

819 W Iowa Ave
Sunnyvale, CA 94086

787 Spreckels Ave
Manteca, CA 95336

ATTACHMENT 1

Public Contract Code section 9204

(a) The Legislature finds and declares that it is in the best interests of the state and its citizens to ensure that all construction business performed on a public works project in the state that is complete and not in dispute is paid in full and in a timely manner.

(b) Notwithstanding any other law, including, but not limited to, Article 7.1 (commencing with Section 10240) of Chapter 1 of Part 2, Chapter 10 (commencing with Section 19100) of Part 2, and Article 1.5 (commencing with Section 20104) of Chapter 1 of Part 3, this section shall apply to any claim by a contractor in connection with a public works project.

(c) For purposes of this section:

(1) "Claim" means a separate demand by a contractor sent by registered mail or certified mail with return receipt requested, for one or more of the following:

(A) A time extension, including, without limitation, for relief from damages or penalties for delay assessed by a public entity under a contract for a public works project.

(B) Payment by the public entity of money or damages arising from work done by, or on behalf of, the contractor pursuant to the contract for a public works project and payment for which is not otherwise expressly provided or to which the claimant is not otherwise entitled.

(C) Payment of an amount that is disputed by the public entity.

(2) "Contractor" means any type of contractor within the meaning of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code who has entered into a direct contract with a public entity for a public works project.

(3) (A) "Public entity" means, without limitation, except as provided in subparagraph (B), a state agency, department, office, division, bureau, board, or commission, the California State University, the University of California, a city, including a charter city, county, including a charter county, city and county, including a charter city and county, district, special district, public authority, political subdivision, public corporation, or nonprofit transit corporation wholly owned by a public agency and formed to carry out the purposes of the public agency.

(B) "Public entity" shall not include the following:

(i) The Department of Water Resources as to any project under the jurisdiction of that department.

(ii) The Department of Transportation as to any project under the jurisdiction of that department.

(iii) The Department of Parks and Recreation as to any project under the jurisdiction of that department.

(iv) The Department of Corrections and Rehabilitation with respect to any project under its jurisdiction pursuant to Chapter 11 (commencing with Section 7000) of Title 7 of Part 3 of the Penal Code.

(v) The Military Department as to any project under the jurisdiction of that department.

(vi) The Department of General Services as to all other projects.

(vii) The High-Speed Rail Authority.

(4) "Public works project" means the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind.

(5) "Subcontractor" means any type of contractor within the meaning of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code who either is in direct contract with a contractor or is a lower tier subcontractor.

(d) (1) (A) Upon receipt of a claim pursuant to this section, the public entity to which the claim applies shall conduct a reasonable review of the claim and, within a period not to exceed 45 days, shall provide the claimant a written statement identifying what portion of the claim is disputed and what portion is undisputed. Upon receipt of a claim, a public entity and a contractor may, by mutual agreement, extend the time period provided in this subdivision.

(B) The claimant shall furnish reasonable documentation to support the claim.

(C) If the public entity needs approval from its governing body to provide the claimant a written statement identifying the disputed portion and the undisputed portion of the claim, and the governing body does not meet within the 45 days or within the mutually agreed to extension of time following receipt of a claim sent by registered mail or certified mail, return receipt requested, the public entity shall have up to three days following the next duly publicly noticed meeting of the governing body after the 45-day period, or extension, expires to provide the claimant a written statement identifying the disputed portion and the undisputed portion.

(D) Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the public entity issues its written statement. If the public entity fails to issue a written statement, paragraph (3) shall apply.

(2) (A) If the claimant disputes the public entity's written response, or if the public entity fails to respond to a claim issued pursuant to this section within the time prescribed, the claimant may demand in writing an informal conference to meet and confer for settlement of the issues in dispute. Upon receipt of a demand in writing sent by registered mail or certified mail, return receipt requested, the public entity shall schedule a meet and confer conference within 30 days for settlement of the dispute.

(B) Within 10 business days following the conclusion of the meet and confer conference, if the claim or any portion of the claim remains in dispute, the public entity shall provide the claimant a written statement identifying the portion of the claim that remains in dispute and the portion that is undisputed. Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the public entity issues its written statement. Any disputed portion of the claim, as identified by the contractor in writing, shall be submitted to nonbinding mediation, with the public entity and the claimant sharing the associated costs equally. The public entity and claimant shall mutually agree to a mediator within 10 business days after the disputed portion of the claim has been identified in writing. If the parties cannot agree upon a mediator, each party shall select a mediator and those mediators shall select a qualified neutral third party to mediate with regard to the disputed portion of the claim. Each party shall bear the fees and costs charged by its respective mediator in connection with the selection of the neutral mediator. If mediation is unsuccessful, the parts of the claim remaining in dispute shall be subject to applicable procedures outside this section.

(C) For purposes of this section, mediation includes any nonbinding process, including, but not limited to, neutral evaluation or a dispute review board, in which an independent third party or board assists the parties in dispute resolution through negotiation or by issuance of an evaluation. Any mediation utilized shall conform to the timeframes in this section.

(D) Unless otherwise agreed to by the public entity and the contractor in writing, the mediation conducted pursuant to this section shall excuse any further obligation under Section 20104.4 to mediate after litigation has been commenced.

(E) This section does not preclude a public entity from requiring arbitration of disputes under private arbitration or the Public Works Contract Arbitration Program, if mediation under this section does not resolve the parties' dispute.

(3) Failure by the public entity to respond to a claim from a contractor within the time periods described in this subdivision or to otherwise meet the time requirements of this section shall result in the claim being deemed rejected in its entirety. A claim that is denied by reason of the public entity's failure to have responded to a claim, or its failure to otherwise meet the time requirements of this section, shall not constitute an adverse finding with regard to the merits of the claim or the responsibility or qualifications of the claimant.

(4) Amounts not paid in a timely manner as required by this section shall bear interest at 7 percent per annum.

(5) If a subcontractor or a lower tier subcontractor lacks legal standing to assert a claim against a public entity because privity of contract does not exist, the contractor may present to the public entity a claim on behalf of a subcontractor or lower tier subcontractor. A subcontractor may request in writing, either on his or her own behalf or on behalf of a lower tier subcontractor, that the contractor present a claim for work which was performed by the subcontractor or by a lower tier subcontractor on behalf of the subcontractor. The subcontractor requesting that the claim be presented to the public entity shall furnish reasonable documentation to support the claim. Within 45 days of receipt of this written request, the contractor shall notify the subcontractor in writing as to whether the contractor presented the claim to the public entity and, if the original contractor did not present the claim, provide the subcontractor with a statement of the reasons for not having done so.

(e) The text of this section or a summary of it shall be set forth in the plans or specifications for any public works project that may give rise to a claim under this section.

(f) A waiver of the rights granted by this section is void and contrary to public policy, provided, however, that (1) upon receipt of a claim, the parties may mutually agree to waive, in writing, mediation and proceed directly to the commencement of a civil action or binding arbitration, as applicable; and (2) a public entity may prescribe reasonable change order, claim, and dispute resolution procedures and requirements in addition to the provisions of this section, so long as the contractual provisions do not conflict with or otherwise impair the timeframes and procedures set forth in this section.

(g) This section applies to contracts entered into on or after January 1, 2017.

(h) Nothing in this section shall impose liability upon a public entity that makes loans or grants available through a competitive application process, for the failure of an awardee to meet its contractual obligations.

(i) This section shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

Public Contract Code sections 20104 – 20104.6

§ 20104.

(a) (1) This article applies to all public works claims of three hundred seventy-five thousand dollars (\$375,000) or less which arise between a contractor and a local agency.

(2) This article shall not apply to any claims resulting from a contract between a contractor and a public agency when the public agency has elected to resolve any disputes pursuant to Article 7.1 (commencing with Section 10240) of Chapter 1 of Part 2.

(b) (1) "Public work" means "public works contract" as defined in Section 1101 but does not include any work or improvement contracted for by the state or the Regents of the University of California.

(2) "Claim" means a separate demand by the contractor for (A) a time extension, (B) payment of money or damages arising from work done by, or on behalf of, the contractor pursuant to the contract for a public work and payment of which is not otherwise expressly provided for or the claimant is not otherwise entitled to, or (C) an amount the payment of which is disputed by the local agency.

(c) The provisions of this article or a summary thereof shall be set forth in the plans or specifications for any work which may give rise to a claim under this article.

(d) This article applies only to contracts entered into on or after January 1, 1991.

§ 20104.2.

For any claim subject to this article, the following requirements apply:

(a) The claim shall be in writing and include the documents necessary to substantiate the claim. Claims must be filed on or before the date of final payment. Nothing in this subdivision is intended to extend the time limit or supersede notice requirements otherwise provided by contract for the filing of claims.

(b) (1) For claims of less than fifty thousand dollars (\$50,000), the local agency shall respond in writing to any written claim within 45 days of receipt of the claim, or may request, in writing, within 30 days of receipt of the claim, any additional documentation supporting the claim or relating to defenses to the claim the local agency may have against the claimant.

(2) If additional information is thereafter required, it shall be requested and provided pursuant to this subdivision, upon mutual agreement of the local agency and the claimant.

(3) The local agency's written response to the claim, as further documented, shall be submitted to the claimant within 15 days after receipt of the further documentation or within a period of time no greater than that taken by the claimant in producing the additional information, whichever is greater.

(c) (1) For claims of over fifty thousand dollars (\$50,000) and less than or equal to three hundred seventy-five thousand dollars (\$375,000), the local agency shall respond in writing to all written claims within 60 days of receipt of the claim, or may request, in writing, within 30 days of receipt of the claim, any additional documentation supporting the claim or relating to defenses to the claim the local agency may have against the claimant.

(2) If additional information is thereafter required, it shall be requested and provided pursuant to this subdivision, upon mutual agreement of the local agency and the claimant.

(3) The local agency's written response to the claim, as further documented, shall be submitted to the claimant within 30 days after receipt of the further documentation, or within a period of time no greater than that taken by the claimant in producing the additional information or requested documentation, whichever is greater.

(d) If the claimant disputes the local agency's written response, or the local agency fails to respond within the time prescribed, the claimant may so notify the local agency, in writing, either within 15 days of receipt of the local agency's response or within 15 days of the local agency's failure to respond within the time prescribed, respectively, and demand an informal conference to meet and confer for settlement of the issues in dispute. Upon a demand, the local agency shall schedule a meet and confer conference within 30 days for settlement of the dispute.

(e) Following the meet and confer conference, if the claim or any portion remains in dispute, the claimant may file a claim as provided in Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Part 3 of Division 3.6 of Title 1 of the Government Code. For purposes of those provisions, the running of the period of time within which a claim must be filed shall be tolled from the time the claimant submits his or her written claim pursuant to subdivision (a) until the time that claim is denied as a result of the meet and confer process, including any period of time utilized by the meet and confer process.

(f) This article does not apply to tort claims and nothing in this article is intended nor shall be construed to change the time periods for filing tort claims or actions specified by Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Part 3 of Division 3.6 of Title 1 of the Government Code.

§ 20104.4.

The following procedures are established for all civil actions filed to resolve claims subject to this article:

(a) Within 60 days, but no earlier than 30 days, following the filing or responsive pleadings, the court shall submit the matter to nonbinding mediation unless waived by mutual stipulation of both parties. The mediation process shall provide for the selection within 15 days by both parties of a disinterested third person as mediator, shall be commenced within 30 days of the submittal, and shall be concluded within 15 days from the commencement of the mediation unless a time requirement is extended upon a good cause showing to the court or by stipulation of both parties. If the parties fail to select a mediator within the 15-day period, any party may petition the court to appoint the mediator.

(b) (1) If the matter remains in dispute, the case shall be submitted to judicial arbitration pursuant to Chapter 2.5 (commencing with Section 1141.10) of Title 3 of Part 3 of the Code of Civil Procedure, notwithstanding Section 1141.11 of that code. The Civil Discovery Act (Title 4 (commencing with Section 2016.010) of Part 4 of the Code of Civil Procedure) shall apply to any proceeding brought under this subdivision consistent with the rules pertaining to judicial arbitration.

(2) Notwithstanding any other provision of law, upon stipulation of the parties, arbitrators appointed for purposes of this article shall be experienced in construction law, and, upon stipulation of the parties, mediators and arbitrators shall be paid necessary and reasonable hourly rates of pay not to exceed their customary rate, and such fees and expenses shall be paid equally by the parties, except in the case of arbitration where the arbitrator, for good cause, determines a different division. In no event shall these fees or expenses be paid by state or county funds.

(3) In addition to Chapter 2.5 (commencing with Section 1141.10) of Title 3 of Part 3 of the Code of Civil Procedure, any party who after receiving an arbitration award requests a trial de novo but does not obtain a more favorable judgment shall, in addition to payment of costs and fees under that chapter, pay the attorney's fees of the other party arising out of the trial de novo.

(c) The court may, upon request by any party, order any witnesses to participate in the mediation or arbitration process.

§ 20104.6.

(a) No local agency shall fail to pay money as to any portion of a claim which is undisputed except as otherwise provided in the contract.

(b) In any suit filed under Section 20104.4, the local agency shall pay interest at the legal rate on any arbitration award or judgment. The interest shall begin to accrue on the date the suit is filed in a court of law.

[END OF ATTACHMENT]

EXHIBIT A

RSUSD Bid Manual

[REMAINDER OF PAGE BLANK; EXHIBIT FOLLOWS]

EXHIBIT B

AMS Quote and Project Cost Summary



October 25, 2019

Sunnyvale School District
819 W. Iowa Ave
Sunnyvale, CA 94086

Re: (1) 192x49 DSA Modular Classrooms Wing at Cherry Chase Elementary School

Attn: Rob Smiley
Chief Operations Officer

American Modular Systems is pleased to provide our proposal for Cherry Chase Elementary School. Our pricing is based upon the attached AMS floor plans and elevation dated 09.16.19 attached here, A1.1, A1.2, A4.0, M1.0, & E1.0.

Sunnyvale School District is utilizing the provisions of the Reef-Sunset School District Facility Services Contract and the scope of work as listed below, and in the Inclusions and Exclusions as outlined as the base of this contract. The omission of any item(s) not listed in the assumed scope shall not be construed to be included in this pricing.

Base Building(s): DSA approved modular building, steel rigid frame construction, Type V non-rated construction, 20 lb roof load, 50+15 lb floor load, 110 ULT wind load, 2016 CBC, Ss = 1.522, FOB Sunnyvale, CA.

(1) Ea. 192' x 40' DSA Classroom Building, Building H, 7,680SF

Project Total \$2,555,333

Project Timeline:

| | |
|----------------------------|------------|
| Contracts by: | 11/10/2019 |
| Engineering complete: | 10/31/2019 |
| INC 2 DSA Approval OTC: | 11/05/2019 |
| Colors on or Before: | 11/05/2019 |
| Procurement of Materials: | 11/06/2019 |
| Start In-Plant Production: | 01/12/2020 |
| Delivery/Set: | 07/08/2020 |
| Ready for Occupancy: | 08/17/2020 |

Inclusions – Exclusions: See attached dated 10-25-19,

Terms – Monthly progress payment net 20 days. Quote good for 60 days.

Notes:

- Concrete foundation design and engineering by AMS, installation by others. AMS is not responsible for quality of installation, inspections, nor acceptance of foundation. Any review performed by AMS shall be considered a courtesy to assist with the overall project success and does not remove the contractor's responsibility to comply with plans and specifications. Contractor performing foundation installations is responsible to ensure foundation is completed per plans, specifications, and meets tolerances for modular buildings as described in AMS drawings. In the event engineering is required to accommodate errors or omissions, rework or additional coordination/engineering, all expenses shall be reimbursed to AMS. In addition, a \$1,500 per hour back charge will occur if a delay due to grinding, leveling, etc... is required at time of installation.
- Concrete Foundation Embeds – Per DSA approved AMS PC design, Foundation Embeds are required for all concrete foundations as designed by AMS. IF concrete foundations are by other than AMS, Embeds may be purchased directly by contractor. If foundations by AMS, Embeds are to be included. Embeds must be inspected by a DSA approved welding inspector in accordance with project approved Testing and inspections and per AMS DSA approved drawings.
- Concrete Foundation Exclusions – site demolition, foundation pad excavation, import/export soils, surveying, site improvements, underground hazards, crawl space drainage, dry wells, slurry seal, backfilling/compaction, unforeseen conditions
- No conduits allowed on outside of building.
- All site labor non-union prevailing wage
- Modules being stored at factory over 60 days will require payment.
- District must provide an ALL WEATHER truck accessible level/compacted prepared pad.
- Point of Connection Drawings (POC) as coordinated with the District and design team, supersedes any previous drawings and/or communications regarding POC's, including the DSA approved drawings. The locations and sizing reflected on the POC sheet are the responsibility of the Architect of Record to provide to the appropriate on-site contractors for coordination and execution.
- The omission of any item(s) not listed in the assumed scope and/or exclusions shall not be construed to be included in this pricing. All projects per AMS standard PC guidelines, manufacturing methods, finishes and fixtures. AMS does not include direction and/or design for options not included in our scope unless otherwise stated or coordinated prior.
- All communication and coordination to be conducted through District, during design and construction.

If you should have any questions, please do not hesitate to call.

Sincerely,



Anthony Sarrich
VP Of Operations
American Modular Systems, Inc.

Accepted By:

Rob Smiley, Chief Operations Officer

Date

Cherry Chase ES, 1ea 192X40
Sunnyvale School District
October 25, 2019

| INCLUSIONS |
|---|
| Building Envelope |
| 20% Recycled Steel Moment Frame DSA PC Design, 2016 CBC |
| 2-1/4:12 Dual Extra Height pitched roof with 3" standing seam roof system (Concealed fasteners) |
| 5' Front & 2' Rear Overhangs, Hybrid stucco underside, with 12" side overhangs |
| 2'-10" deep & 11" wide overhang at Staff RR & IDF/Work Room entries |
| 5" Concrete floor system, 25% RC fly ash |
| 2x6 Wood wall framing |
| Exterior Hollow Metal Frame door frames, 6 with sidelites w/ LCN closers with integrated hold opens |
| Galvanized 7" insulated door with half view window Single Pane @ classroom doors |
| FRP doors at Exterior Restroom, IDF/Work Room & Equipment Storage Doors, vandal resistant louvers, 3 total |
| Hollow metal frames w/Clear birch doors at all interior locations, louvers at restroom doors |
| Fixed Low-E dual glazed view windows, aluminum frames, Series 3000 |
| Factory applied 7/8" Hybrid Stucco - Painted "3-Color" - AMS Standard Control Joints |
| Two seismic joints, with AMS standard enclosures |
| Insulation |
| R-19 Wall and R-30 Roof |
| Formaldehyde-Free Ecobatt Insulation |
| Wall and Floor |
| Vaulted Armstrong Prelude T-Bar ceiling design, 8'-6" to 10'-6" in classrooms only |
| Hard-Lid 8'-6" ceilings in restrooms |
| AMS Spec Casework, AMS Standard Wilsonart selection, as drawn |
| 2x4 Armstrong 769 ceiling tiles throughout |
| Low to no VOC Primers and Paints - (Dunn Edwards) |
| 1/2" Gypsum interior wall backing |
| Mohawk Faculty Remix carpet tile with walk-off mat at classrooms & IDF/work room (2-Color) |
| Armstrong VCT flooring in classrooms in wet areas (2-Color) |
| Sealed Concrete flooring w/base in Equipment Storage room |
| FRP Walls in Restrooms & wet corner of Equipment Storage Room |
| 1/2" Painted plywood wall covering in Equipment Storage Room |
| Terralte Epoxy floors in Restroom (Special flashing detail for Epoxy to FRP) |
| KoroSeal Tackable Wall Coverings Throughout; 20% Recycled Content/Low VOC, Paolo White color |
| Mechanical |
| Cast waste piping |
| All plumbing fixtures per (District Spec.) Must be "Low flow" |
| Terrazo mop sink in Equipment Storage Room |
| Instahot @ Staff RR |
| "Just" SS sinks in classrooms w/ Bubblers in SS sink apron |
| Manual water closet & sinks |
| Classrooms, 6ea 5-Ton Tec floor mounted HVAC, includes 0-10V modulating damper |
| Thermostat conduit only - controls by others |
| Thermostat to exhaust fan in IDF/Work room |
| HVAC MERV 13 filter |
| Standard Supply/Return Diffusers |
| Foil Flex Ducting |
| Exhaust fans in single occupancy restrooms & Equipment Room |
| Electrical hand dryers in Restrooms (7 total) |
| 2ea Lockable Hose Bibs |
| Electrical |
| Solar Panel Ready Roof - 3 PSF max |
| Energy Star tubular skylights with adjustable damper, 5 per classroom (30ea Total) |
| LED indirect/direct lighting system with variable dimming ballasts in main classrooms |
| Occupancy Sensors all rooms, Wattstopper |
| Architectural Exterior Light on 1ea with conduit to EMS (19ea Total) |
| 6ea 100A Three Phase Elec. Panels w/bolt on breakers |
| Receptacles 20A (90ea), includes dedicated & GFCI circuits |
| Dedicated circuits/receptacles for charging cabinet in classrooms & in IDF/Work Room |
| Solar panel ready conduit in wall only, to be sized and located by others |
| All Power and Low Voltage Conduits to enter from crawl space |
| All FAA Conduits in ceiling and walls |
| All Low Voltage Conduits in walls only stubbed into ceiling space (41ea) |
| Misc. |
| Simi-Recessed Fire Extinguisher Cabinets |
| Upgraded Door Hardware: Schlage ND series with 99L series with "E" keyway w/interchangeable core |
| 3ea 1/2"x6" Dowels at each entry doors welded to frame |
| Painted MDF casing around windows & doors |
| Install Owner provided Clock Speaker backboxes & blocking for IDF rack - Model # provided to be provided 3 months prior to production |
| PC Foundation design |
| Air balancing of Mechanical system |
| Standard AMS RR accessory package - mirrors, grabbars & recessed toilet paper dispensers |
| Rough-in for Door contacts - system by others |
| Heavier Gauge Downspouts |
| AMS Spec Casework, AMS Standard Wilsonart selection, as drawn |
| Recessed Markerboard walls, (2) 6"x8" in each classroom |
| Mecho shades at all window assemblies |
| Higher gauge 2"x3" downspouts |
| All specifications are AMS Standard unless specified otherwise herein |

Scope of Work Summary
Cherry Chase ES, 1ea 192X40
Sunnyvale School District
October 25, 2019

| EXCLUSIONS |
|---|
| DSA fees |
| DSA Inspection Fees |
| Surveying |
| Site Improvements/Underground Improvements & Infrastructure |
| Ramps/Sidewalks |
| Mow Strips |
| Crane Size over 200-ton |
| Concrete Foundation, Vent Wells |
| Unknown Underground Hazards |
| Excavate Building Pad, Import/Export of all Foundation Spoils |
| Backfill and Compaction (Minimum of 5' around foundations) |
| Foundation Area Drains |
| Foundation Steel Embeds |
| TV Brackets |
| Projectors |
| Projection Screens |
| Signage |
| Exterior Door Stops |
| Door Hardware Master Keying |
| Low Voltage Systems |
| Low Voltage Conduits in Chases/Attics other than Fire Alarm |
| EMS System Programming or Connections |
| Thermostats in each classroom |
| Metering and submetering for energy |
| Coordination of data analytics and controls on EMS system |
| Intrusion Systems - Design, cabling, devices, testing |
| Fire Alarm Systems - Design, cabling, devices, testing |
| Electrical Panel Connections to Main Electrical Panels under building |
| IDF Cabinets |
| All Under Floor Connections - electrical, low-voltage |
| Condensate Drain Connections Under Floor |
| Drywells for Condensate Drains |
| Sprinkler Start-up (if applicable) |
| Fire Sprinklers (if applicable) |
| Water/Waste Connections |
| Rain Leader Connections |
| Temporary Power, Fences, Toilets, Job Shack and Dumpsters |
| Police escorts and or traffic control, if needed |
| Off-site building staging and or lowering to one crib |
| Daylight/Above grade foundation flashings |
| Solar Panels |
| CHPS/LEED Commissioning fees |
| Graffiti wall coatings |
| Laminated glass |
| Restroom Accessories |
| Water Chloronation |
| Security of any kind |
| VCT floor sealing |
| Int/Ext Master EMS lighting control panels and wiring associated |

Gen 7 Project Cost Summary

~~Exhibit A - 1~~

Date October 25, 2019

Subject: 192x40 - Kindergarten Building - Cherry Chase Elementary School
Sunnyvale School District

Message: The following is a summary breakdown of the 192x40 DSA Modular building based upon the Reef-Sunset School District Piggy-back Contract.

| Item | QTY | QTY | Description | Unit Price | Extension |
|------|------|-----|---|--------------|--------------|
| 1G | 6 | ea | 24x40 Classroom | \$104,140.00 | \$624,840.00 |
| 9G | 6 | ea | Vaulted ceilings | \$9,840.00 | \$59,040.00 |
| 12G | 6 | ea | Lightweight Concrete Floor | \$13,810.00 | \$82,860.00 |
| 1J | 4 | ea | 12x40 Module | \$52,020.00 | \$208,080.00 |
| 9J | 4 | ea | Vaulted ceilings | \$4,920.00 | \$19,680.00 |
| 12J | 4 | ea | Lightweight Concrete Floor | \$6,910.00 | \$27,640.00 |
| 30 | 80 | sf | Side Overhangs | \$380.00 | \$30,400.00 |
| 31 | 13 | sf | Side Awning | \$220.00 | \$2,860.00 |
| 34 | 6648 | sf | Hybrid Stucco system - in-plant 3 part | \$14.60 | \$97,060.80 |
| 37 | 1788 | lf | Stucco Control joints | \$9.20 | \$16,449.60 |
| 41 | 6648 | sf | Custom exterior paint scheme | \$4.70 | \$31,245.60 |
| 54 | 9 | ea | Exterior door package 3' x 7' | \$2,260.00 | \$20,340.00 |
| 56 | 12 | ea | Exterior door with view lite | \$2,350.00 | \$28,200.00 |
| 58 | 9 | ea | Interior door package (wood) 3'x7' | \$1,080.00 | \$9,720.00 |
| 59 | 3 | ea | Interior door with 1/2 view light | \$1,220.00 | \$3,660.00 |
| 63 | 15 | ea | Door Hardware | \$260.00 | \$3,900.00 |
| 65 | 15 | ea | Removable core lockset upgrade | \$90.00 | \$1,350.00 |
| 68 | 6 | ea | Side Light hollow metal frame window | \$860.00 | \$5,160.00 |
| 70 | 12 | ea | Panic Hardware | \$980.00 | \$11,760.00 |
| 71 | 2 | ea | 3" Building seperations | \$1,260.00 | \$2,520.00 |
| 72 | 24 | ea | Full panel close-up interior walls | \$180.00 | \$4,320.00 |
| 74 | 1480 | sf | Enclosed soffit in lieu of metal soffit | \$86.80 | \$128,464.00 |
| 77 | 464 | lf | Up-grade to 2" x 6" Exterior wall framing | \$4.20 | \$1,948.80 |
| 79 | 200 | lf | 3" schedule 40 downspouts | \$54.00 | \$10,800.00 |
| 103 | 7680 | sf | Upgrade roof insulation to R-30 | \$0.60 | \$4,608.00 |
| 108 | 9445 | sf | Upgrade wall insulation to R-21 | \$0.48 | \$4,533.60 |
| 119 | 435 | sf | Upgrade to VCT | \$2.80 | \$1,218.00 |
| 121 | 460 | sf | Epoxy Flooring - restroom floor | \$24.90 | \$11,454.00 |
| 123 | 252 | sf | Polish Concrete Flooring | \$38.10 | \$9,601.20 |
| 127 | 24 | lf | Interior nonrated 2"x4" wall | \$120.00 | \$2,880.00 |
| 132 | 519 | sf | FRP Walls | \$3.20 | \$1,660.80 |
| 134 | 460 | sf | Sheetrock Ceiling - Restrooms | \$10.20 | \$4,692.00 |
| 139 | 576 | sf | Makerboard wall | \$18.40 | \$10,598.40 |
| 145 | 12 | ea | Interior window wood trim | \$160.00 | \$1,920.00 |
| 146 | 36 | ea | Base Cabinet - 3 lf | \$870.00 | \$31,320.00 |

Gen 7 Project Cost Summary

~~Exhibit A-1~~

Date October 25, 2019

Subject: 192x40 - Kindergarten Building - Cherry Chase Elementary School
Sunnyvale School District

Message: The following is a summary breakdown of the 192x40 DSA Modular building based upon the Reef-Sunset School District Piggy-back Contract.

| Item | QTY | QTY | Description | Unit Price | Extension |
|------|------------|-----|---|-------------|--------------|
| 149 | 30 | ea | Upper Cabinet w/doors - 3 lf | \$740.00 | \$22,200.00 |
| 154 | 24 | ea | Tall teacher cabinet | \$2,080.00 | \$49,920.00 |
| 155 | 36 | ea | Wardrobe rack | \$1,050.00 | \$37,800.00 |
| 158 | 72 | lf | Low book shelves | \$210.00 | \$15,120.00 |
| 163 | 6 | ea | Plumbed ADA Sink and Cabinet | \$3,940.00 | \$23,640.00 |
| 170 | 42 | lf | Computer counter top only | \$240.00 | \$10,080.00 |
| 171 | 7 | ea | Interior All Gender Toilet Room | \$18,770.00 | \$131,390.00 |
| 174 | 6 | ea | Sink bubbler | \$360.00 | \$2,160.00 |
| 185 | 1 | ea | Mopsink | \$2,320.00 | \$2,320.00 |
| 196 | 1 | ea | Instahot water heater | \$860.00 | \$860.00 |
| 213 | 6 | ea | HVAC return chase wall | \$1,490.00 | \$8,940.00 |
| 214 | 30 | ea | Supply register and 12' of ducting | \$340.00 | \$10,200.00 |
| 220 | 9 | ea | Ceiling exhaust fan | \$520.00 | \$4,680.00 |
| 222 | 9 | ea | Air Balance Report | \$1,480.00 | \$13,320.00 |
| 224 | 90 | ea | Wall 100V duplex receptacle | \$220.00 | \$19,800.00 |
| 227 | 13 | ea | GFCI receptacle | \$280.00 | \$3,640.00 |
| 228 | 41 | ea | Wall data outlet | \$110.00 | \$4,510.00 |
| 231 | 9 | ea | Interior light switch | \$210.00 | \$1,890.00 |
| 238 | 6 | ea | 100 amp panel - three phase | \$520.00 | \$3,120.00 |
| 244 | 12 | ea | Dedicated citcuit - 20 amp | \$280.00 | \$3,360.00 |
| 250 | 280 | hr | Contract and Project Supervision | \$220.00 | \$61,600.00 |
| 251 | 100 | hr | Engineering and Design | \$360.00 | \$36,000.00 |
| 252 | 100 | hr | DSA Site Specific Document Prep | \$230.00 | \$23,000.00 |
| 257 | total cost | % | Bonds and Insurance | 1.6% | \$40,931.20 |
| 260 | 16 | hr | Craning/Rigging | \$2,100.00 | \$33,600.00 |
| 261 | 440 | hr | On-site Labor | \$110.00 | \$48,400.00 |
| 274 | 2 | ea | Recessed Hose Bib | \$1,290.00 | \$2,580.00 |
| 276 | 6 | ea | Semi-Recessed Fire Extinguisher Cabinet | \$180.00 | \$1,080.00 |
| 281 | 7 | ea | Mirror in Restroom | \$281.00 | \$1,967.00 |
| 286 | 9118 | sf | 3" standing seam colored metal roof | \$11.40 | \$103,945.20 |
| 293 | 30 | ea | Solatube | \$2,780.00 | \$83,400.00 |
| 303 | 6506 | sf | Carpet Tile Floorng | \$4.40 | \$28,626.40 |
| 307 | 13 | ea | Walk-off mat | \$560.00 | \$7,280.00 |
| 310 | 80 | gl | Low and/or Zero VOC paints/primers | \$92.00 | \$7,360.00 |
| 313 | 9445 | sf | Vinyl tackable wall surface | \$2.60 | \$24,557.00 |

Gen 7 Project Cost Summary

~~Exhibit A-1~~

Date October 25, 2019

Subject: 192x40 - Kindergarten Building - Cherry Chase Elementary School
Sunnyvale School District

Message: The following is a summary breakdown of the 192x40 DSA Modular building based upon the Reef-Sunset School District Piggy-back Contract.

| Item | QTY | QTY | Description | Unit Price | Extension |
|--------------------------|------|-----|--|-------------|--------------------|
| 316 | 1346 | lf | Wood blocking in wall | \$7.20 | \$9,691.20 |
| 338 | 200 | lf | Cast waste plumbing | \$5.20 | \$1,040.00 |
| 339 | 7 | ea | Manual Dual Flush restroom controls | \$360.00 | \$2,520.00 |
| 348 | 6 | ea | 5-Ton Bard I-tec | \$13,980.00 | \$83,880.00 |
| 349 | 7 | ea | Hand dryer | \$880.00 | \$6,160.00 |
| 350 | 6 | ea | Fresh air economizer for HVAC | \$860.00 | \$5,160.00 |
| 352 | 76 | ea | LED indirect dimmable 2'x4' interior light | \$400.00 | \$30,400.00 |
| 355 | 19 | ea | LED external light fixture | \$860.00 | \$16,340.00 |
| 358 | 72 | lf | Manual roll-up shades | \$140.00 | \$10,080.00 |
| Building Subtotal | | | | | \$2,555,333 |

[END OF EXHIBIT]

RESOLUTION NO. 20-07

**RESOLUTION AUTHORIZING
CONTRACT PURSUANT TO PUBLIC CONTRACT CODE SECTION 20118
("PIGGYBACK STATUTE")**

WHEREAS, the Sunnyvale School District ("District") wants to purchase relocatable buildings for installation on District property;

WHEREAS, pursuant to Public Contract Code section 20111, a school district is required to competitively bid "[t]he purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district," that exceed \$87,800, Public Contract Code section 20118 is an exception to this requirement and states,

Notwithstanding Sections 20111 and 20112, the governing board of any school district without advertising for bids, if the board has determined it to be in the best interests of the district, may authorize by contract, lease, requisition, or purchase order, any public corporation or agency, including any county, city, town, or district, to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner in which the public corporation or agency is authorized by law to make the leases or purchases from a vendor. Upon receipt of the personal property, if the property complies with the specifications set forth in the contract, lease, requisition, or purchase order, the school district may draw a warrant in favor of the public corporation or agency for the amount of the approved invoice, including the reasonable costs to the public corporation or agency for furnishing the services incidental to the lease or purchase of the personal property, or the school district may make payment directly to the vendor. Alternatively, if there is an existing contract between a public corporation or agency and a vendor for the lease or purchase of the personal property, a school district may authorize the lease or purchase of personal property directly from the vendor by contract, lease, requisition, or purchase order and make payment to the vendor under the same terms that are available to the public corporation or agency under the contract.

WHEREAS, the Reef Sunset Unified School District issued an invitation to bid and obtained a bid from American Modular Systems, Inc. ("Vendor") for the purchase and installation of relocatable buildings and entered into an agreement with Vendor on October 31, 2018 ("Piggyback Contract");

WHEREAS, the Piggyback Contract included a provision pursuant to Public Contract Code section 20118 allowing other public agencies, including the District, to purchase relocatable buildings from the Vendor pursuant to the same terms and conditions of the Piggyback Contract;

WHEREAS, District staff has researched the costs and terms of the Piggyback Contract and believes that the prices of the Piggyback Contract are reasonable and that it would be in the best interests of the District to utilize the Piggyback Contract to purchase the relocatable buildings from Vendor.

NOW THEREFORE, the Governing Board of the Sunnyvale School District hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true.
2. That the Governing Board of the District hereby declares that it is in the best interests of the District to purchase relocatable buildings from Vendor via the Piggyback Contract.
3. That the Governing Board of the District hereby authorizes the District's Superintendent and/or his designee, pursuant to this Resolution to take any action which is necessary to carry out, give effect to, and comply with the terms and intent of this Resolution and consistent with the Public Contract Code and District Policy.

APPROVED, PASSED AND ADOPTED by the Governing Board of the Sunnyvale School District on this 7th day of November, 2019, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Attested to:

Reid Myers, Clerk of the Governing Board
of the Sunnyvale School District

Nancy Newkirk, President of the Governing Board
of the Sunnyvale School District



BOARD OF EDUCATION Regular Board Meeting

11/07/2019 07:00 PM

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

11. CONSENT AGENDA ITEMS

Quick Summary / Abstract

Any item on the Consent Agenda is subject to review and discussion prior to being approved by the Board. If necessary, any item(s) may be removed for separate action. The public may address the Board regarding any item(s) on the Consent Agenda.

Moved _____ Seconded _____ Board Action _____

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/1/2019 at 3:26 PM PST by Annalee Wee

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

11. A. Approval of Change Order #02 – Columbia M.S. Exterior Improvements Project **Contact Person**

Rob Smiley, Chief Operations Officer

Description

Pursuant to Public Contract Code, all change orders must be ratified by the Board of Education. This change order represents the second formal Change Order for the Columbia M.S. Exterior Improvements Project and documents unforeseen conditions found during construction and added work requested by the District not identified in the original scope of work. Once ratified by the Board of Education, the contractor can invoice for work associated with this Change Order.

The original contract price awarded by the Board of Education to Pacific Contractors Group, Inc was \$668,000.

- Change Order #01 was approved by the Board of Education at its August 8, 2019 meeting and amended the contract to \$682,065.31
- Change Order #02 is in the amount of (\$3,197.25) and will amend the contract amount to \$678,868.06

Recommendation

The Superintendent recommends the Board of Education approve Change Order #02 Columbia M.S. Exterior Improvements Project.

Supporting Documents[2018057 - CCO No. 2.pdf](#)

Created on 10/28/2019 at 3:46 PM PST by Annalee Wee
Last Modified on 10/28/2019 at 4:20 PM PST by Annalee Wee

| | | |
|-------------|-----------------------------------|------------------------------|
| School: | Columbia MS Exterior Improvements | Change Order No.: 2 |
| Owner: | Sunnyvale | AEDIS No.: 2018057 |
| Contractor: | Pacific Contractors Group, Inc | DSA File.: Appl. No.: |
| | | Date: 10/11/2019 |

| | |
|--|--------------------|
| Original Contract Sum: | \$668,000.00 |
| Net Change by Previous Change Order: | \$14,065.31 |
| Revised Contract Amount Prior to this Change Order: | \$682,065.31 |
| Contract Amount to be adjusted by this Change Order: | -\$3,197.25 |
| Proposed Contract Amount with this Change Order: | \$678,868.06 |
| Contract time will increase by: | 0 Calendar Days |

The Contractor is hereby directed to make the changes as described in the attached Change Order: Description of Items. The Contractor shall proceed with the work after approval by the Division of the State Architect.

District Authority
Sunnyvale

Pacific Contractors Group, Inc

Architect of Record
Aedis Architects

Division of the State Architect

School: Columbia MS Exterior Improvements
Owner: Sunnyvale
Contractor: Pacific Contractors Group, Inc

Change Order No.: 2
AEDIS No.: 2018057
DSA File.: **Appl. No.:**
Date: 10/11/2019

DESCRIPTION OF ITEMS

| | | | |
|-------------------|---|---------------------------|----------------------------|
| Item No. 1 | Reference PCO # 9 | CCD Reference # 10 | DEDUCT: -\$3,197.25 |
| Description: | Gate Latches | | Time Ext. 0 Calendar Days |
| | Delete ornamental gate latches from scope of work | | |
| Reason: | District Request | | |
| Requested by: | District | | |
| Support Docs.: | None | | |

TOTAL THIS CHANGE ORDER: **-\$3,197.25**

Attachments:



BOARD OF EDUCATION Regular Board Meeting

11/07/2019 07:00 PM

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

11. B. Approval of Change Order #016 – Bishop Elementary School Modernization – Increment 1 & 2 – USS Cal Builders

Contact Person

Rob Smiley, Chief Operations Officer

Description

Pursuant to Public Contract Code, all change orders must be ratified by the Board of Education. This change order represents the sixteenth formal Change Order for the Bishop Elementary School – Increment 1 & 2 Project and documents unforeseen conditions found during construction and added work requested by the District not identified in the original scope of work. Once ratified by the Board of Education, the contractor can invoice for work associated with this Change Order.

The original contract price awarded by the Board of Education to USS Cal Builders was \$24,699,000.

- Change Order #01 was approved by the Board of Education at its June 22, 2017 meeting and amended the contract to \$24,773,740.23
- Change Order #02 was approved by the Board of Education at its October 5, 2017 meeting and amended the contract to \$24,791,994.40
- Change Order #03 was approved by the Board of Education at its November 14, 2017 meeting and amended the contract to \$24,795,061.43
- Change Order #04 was approved by the Board of Education at its January 11, 2018 meeting and amended the contract to \$24,841,578.66
- Change Order #05 was approved by the Board of Education at its April 24, 2018 meeting and amended the contract to \$24,876,288.67
- Change Order #06 was approved by the Board of Education at its June 2, 2018 meeting and amended the contract to \$24,936,023.06
- Change Order #07 was approved by the Board of Education at its August 9, 2018 meeting and amended the contract to \$24,968,315.61
- Change Order #08 was approved by the Board of Education at its November 1, 2018 meeting and amended the contract to \$24,946,905.44
- Change Order #09 was approved by the Board of Education at its December 11, 2018 meeting and amended the contract to \$24,883,951.60
- Change Order #10 was approved by the Board of Education at its January 10, 2019 meeting and amended the contract to \$24,890,129.97
- Change Order #11 was approved by the Board of Education at its February 7, 2019 meeting and amended the contract to \$24,889,433.34
- Change Order #12 was approved by the Board of Education at its May 2, 2019 meeting and amended the contract to \$24,900,839.19
- Change Order #13 was approved by the Board of Education at its May 16, 2019 meeting and amended the contract to \$24,782,699.96
- Change Order #14 was approved by the Board of Education at its June 20, 2019 meeting and amended the contract to \$24,777,041.78
- Change Order #15 was approved by the Board of Education at its September 23, 2019 meeting and amended the contract to \$24,810,843.25

- Change Order #16 is in the amount of \$4,535.61 and will amend the contract amount to \$24,815,378.86

Recommendation

The Superintendent recommends the Board of Education approve Change Order #016 Bishop Elementary School Modernization – Increment 1 & 2 Project.

Supporting Documents

[2014067 CCO - 16.pdf](#)

Created on 10/28/2019 at 3:47 PM PST by Annalee Wee
Last Modified on 10/28/2019 at 4:32 PM PST by Annalee Wee



BISHOP ES MODERNIZATION & NEW CLASSROOMS

CHANGE ORDER : 16
COVER SHEET

| | | |
|-------------|--|--|
| School: | Bishop ES Modernization & New Classrooms | Change Order No.: 16 |
| Owner: | Sunnyvale School District | AEDIS No.: 2014067 |
| Contractor: | USS Cal Builders, Inc. | DSA File.: 43-54 Appl. No.: 01-115156 |
| | | Date: 10/23/2019 |

| | |
|--|-----------------|
| Original Contract Sum: | \$24,699,000.00 |
| Net Change by Previous Change Order: | \$111,843.25 |
| Revised Contract Amount Prior to this Change Order: | \$24,810,843.25 |
| Contract Amount to be adjusted by this Change Order: | \$4,535.61 |
| Proposed Contract Amount with this Change Order: | \$24,815,378.86 |
| Contract time will increase by: | 0 Calendar Days |

The Contractor is hereby directed to make the changes as described in the attached Change Order: Description of Items. The Contractor shall proceed with the work after approval by the Division of the State Architect.

 District Authority
 Sunnyvale School District

 USS Cal Builders, Inc.

 Architect of Record
 Aedis Architects

 Division of the State Architect



BISHOP ES MODERNIZATION & NEW CLASSROOMS INC.1 INC. 2

CHANGE ORDER : 16
DESCRIPTION OF ITEMS

School: Bishop ES Modernization & New Classrooms Inc.1
Owner: Sunnyvale School District
Contractor: USS Cal Builders, Inc.

Change Order No.: 16
AEDIS No.: 2014067
DSA File.: 43-54 **Appl. No.: 01-115156**
Date: 10/23/2019

DESCRIPTION OF ITEMS

| | | | |
|-------------------|---|----------------------------|---------------------------|
| Item No. 1 | Reference PCO # 114 | CCD Reference # 145 | ADD: \$337.02 |
| Description: | Provide 120V power for BMS Panels in C Wing per RFI#426 | | Time Ext. 0 Calendar Days |
| Reason: | Clarification | | |
| Requested by: | Electrical Engineer | | |
| Support Docs.: | None | | |

| | | | |
|-------------------|---|----------------------------|---------------------------|
| Item No. 2 | Reference PCO # 112.1 | CCD Reference # 131 | ADD: \$3,532.50 |
| Description: | Building C Roof Rotate roof access hatch hatch at the high roof 90°. Provide and install 3'-0"x4'0" HM door with 4 sided frame. | | Time Ext. 0 Calendar Days |
| Reason: | Provide adequate clearance around roof hatch for roofing and access to the ladder to the high roof. | | |
| Requested by: | Architect | | |
| Support Docs.: | CCD131-A1, CCD131-A2. | | |

| | | | |
|-------------------|--|-----------------------------|---------------------------|
| Item No. 3 | Reference PCO # 116 | CCD Reference # 1393 | ADD: \$666.09 |
| Description: | Kitchen windows FRP Install FRP around windows at kitchen | | Time Ext. 0 Calendar Days |
| Reason: | Clarificaiton | | |
| Requested by: | District | | |
| Support Docs.: | | | |

TOTAL THIS CHANGE ORDER: \$4,535.61

Attachments: CCD131-A1, CCD131-A2.

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

11. C. Acceptance of Substantial Completion and Notice of Completion for the Columbia Middle School Exterior Improvements Project**Contact Person**

Rob Smiley, Chief Operations Officer

Description

As of October 23, 2019, the subject project is substantially complete.

Pursuant to the contract awarded by the Board of Education, Pacific Contractors Group has furnished all material and finished all labor for the completion of work related to Columbia Middle School Exterior Improvements Project. With the approval of the Board of Education, the Notice of Completion will be filed with the Santa Clara County Recorder's Office as required by law once there is a complete cessation of labor.

Recommendation

The Superintendent recommends the Board of Education accept the Columbia Middle School Exterior Improvements Project as substantially complete and authorize management to submit the notice of completion to the Santa Clara County Recorder's Office.

Created on 10/29/2019 at 2:42 PM PST by Annalee Wee
Last Modified on 10/29/2019 at 2:48 PM PST by Annalee Wee

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

11. D. Approval of proposed Music in the Parks Festival Anaheim field trip for the Columbia Middle School Music Department**Contact Person**

Mala Ahuja, Assistant Superintendent, Curriculum, Instruction and Assessment

Description

Attendees are 100 7th-8th grade music students from Columbia Middle School. Students will perform at a music competition hosted by World Strides. This organization is one of the most trusted student travel organizations in the country for the performing arts. World Strides provides a venue for our students to be rated and judged on their musical expertise against many other schools from the Western United States. After the students' performance, the jurors coach students on their performance. Also, our school receives a complete detailed outline of the performance from World Strides. An award ceremony takes place on Saturday night under the fireworks at Disneyland's California Adventure. In addition, students will get to go to Disneyland and California Adventure for 1 ½ days and a Friday night Pirates Adventure Show and Dinner when they are not performing.

Dates: April 2-6, 2020**Transportation:** West Valley Charter**Housing:** Country Inn and Suite John Wayne Airport, 2701 Hotel Terrace, Santa Ana, CA
Telephone: (714) 957-9200**Supervising Chaperones:** Teachers: Warren Scott, Aya Orozco
Parent chaperone names provided on request**Cost:** \$60,000.00**Funding Sources:** Monthly fundraisers and student donations**Recommendation**

The Superintendent recommends that the Board of Education approve the Music in the Parks Festival Anaheim field trip.


Created on 10/28/2019 at 10:24 AM PST by Annalee Wee
Last Modified on 10/29/2019 at 3:11 PM PST by Annalee Wee

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

11. E. **Approval of General Contractor Agreements (Sub Plans by Substantial, BrightBytes Inc., The Regents of the University of California Berkeley, Temporary Kitchens 123, Mad Science of the Bay Area, Document Tracking Services, School Services of California Inc., Mobil Modular Management Corp., California Weekly Explorer)** 

Contact Person

Michael Gallagher, Ed.D. - Deputy Superintendent, Human Resources

Description

The following agreements have been tentatively agreed to by Sunnyvale School District management, but are subject to approval or ratification by the Board of Education. A signed copy of the agreement, in its entirety, is on file in the Human Resources Department.

Recommendation

The Superintendent recommends that the Board of Education approve the proposed agreement(s) with the contractor(s) as listed.

Supporting Documents

[General Contract Agenda 11.7.19 attachment.pdf](#)

Created on 10/29/2019 at 7:54 AM PST by Laura Di Pol
Last Modified on 10/29/2019 at 9:03 AM PST by Laura Di Pol

Sunnyvale School District
Board of Education

| <u>Contractor</u> | <u>Amount/Date</u> | <u>Services</u> |
|--|---|--|
| <p style="text-align: center;">Sub Plans by Substantial</p> <p style="text-align: center;">Funding Sources: 0713074K5830</p> <p style="text-align: center;">CON 19-20-71 #1</p> | <p style="text-align: center;"><i>Not to exceed:</i> \$1,000.00 in addition to the \$5,000.00 approved 9/5/2019</p> <p style="text-align: center;">FY 2019 - 2020</p> | <p>Will provide SubPlans a web-based application that makes it easy for schools to create and manage plans for their substitute teachers. The original contract has been amended to increase the number of participating schools from 3 to 4, with a total of 5 administrative accounts.</p> |
| <p style="text-align: center;">BrightBytes, Inc.</p> <p style="text-align: center;">Funding Sources: 0762033K5800</p> <p style="text-align: center;">CON 19-20-108</p> | <p style="text-align: center;"><i>Not to exceed:</i> \$8,500.00</p> <p style="text-align: center;">October 21, 2019 thru October 25, 2020</p> | <p>Will provide access to the Technology and Learning module and ISTE Standards Lens module, which services include an online survey collection tool for students, staff, and parents, results reports, and other insights into research-based data analysis to identify actions items.</p> |
| <p style="text-align: center;">The Regents of the University of California Berkeley History-Social Science Project</p> <p style="text-align: center;">Funding Source: 0415010K5825</p> <p style="text-align: center;">CON 19-20-109</p> | <p style="text-align: center;"><i>Not to exceed:</i> \$695.00</p> <p style="text-align: center;">October 1, 2019 thru June 30, 2020</p> | <p>Will provide a series of 8 PD workshops during 2019-2020 for teachers to support the implementation of the H-SS Framework by providing training and structured planning time.</p> |
| <p style="text-align: center;">Temporary Kitchens 123</p> <p style="text-align: center;">Funding Source: 5310037N5622</p> <p style="text-align: center;">CON 19-20-110</p> | <p style="text-align: center;"><i>Not to exceed:</i> \$7,280.00</p> <p style="text-align: center;">October 23, 2019 thru November 23, 2019</p> | <p>Will provide a 12ft Freezer Trailer for temporary storage of Food Services' frozen products while the primary storage freezer is repaired.</p> |
| <p style="text-align: center;">Mad Science of the Bay Area</p> <p style="text-align: center;">Funding Source: 9038010B5830</p> <p style="text-align: center;">CON 19-20-111</p> | <p style="text-align: center;"><i>Not to exceed:</i> \$1,350.00</p> <p style="text-align: center;">November 7, 2019 thru November 20, 2019</p> | <p>Will provide Mad Science "Walloping Weather Workshop" to Cherry Chase Elementary School 3rd grade students on November 18 and November 20th (2 sessions each day).</p> |
| <p style="text-align: center;">Document Tracking Services</p> <p style="text-align: center;">Funding Source: 7090010K5830 LCAP 5.1</p> <p style="text-align: center;">CON 19-20-112</p> | <p style="text-align: center;"><i>Not to exceed:</i> \$2,750.00</p> <p style="text-align: center;">December 15, 2019 thru December 15, 2020</p> | <p>Will provide proprietary web-based application to create, edit, update, print and track the 2019 School Accountability Report Card, School Plan for Student Achievement, Local Control and Accountability Plan, and Comprehensive School Safety Plan.</p> |

| | | |
|--|--|---|
| <p>School Services of California Inc.</p> <p>Funding Source: 0715073K5830</p> <p>CON 19-20-113</p> | <p><i>Not to exceed:</i> \$5,000.00</p> <p>December 1, 2019 thru November 30, 2020</p> | <p>Will provide a copy of the Fiscal Report and of the Analysis of the Governor's Proposals for the State Budget and K-12 Education, along with analysis of all major school finance/fiscal legislation and reports.</p> |
| <p>Mobile Modular Management Corporation</p> <p>Funding Source: C607081S5652</p> <p>CON 19-20-117</p> | <p><i>Not to exceed:</i> \$65,000.00</p> <p>November 7, 2019 thru November 7, 2022</p> | <p>Will provide two modular classrooms at Sunnyvale Middle School starting January 13, 2020.</p> |
| <p>California Weekly Explorer</p> <p>Funding Source: 9038010B5800</p> <p>CON 19-20-118</p> | <p><i>Not to exceed:</i> \$3040.00</p> <p>November 7, 2019 thru March 24, 2020</p> | <p>Will provide the 4th grade students at Cherry Chase, the "Walk Through California" on November 20, 2019 and November 21, 2019 and will provide the 5th grade students the "Walk Through the American Revolution" on March 23, 2020 and March 24, 2020. There will be 2 presentations each day.</p> |


MG:Imd

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

11. F. Approval of Consultant Contracts (A. Johnsen, W. Bussey, R. Kim, J. Johnson, S. Gross, J. Salinas, M. Nevarez) **Contact Person**

Michael Gallagher, Ed.D. - Deputy Superintendent, Human Resources

Description

The following agreements have been tentatively agreed to by Sunnyvale School District management, but are subject to approval or ratification by the Board of Education. A signed copy of the agreement, in its entirety, is on file in the Human Resources Department.

Recommendation

The Superintendent recommends that the Board of Education approve the consultant contract(s) as listed.

Supporting Documents

[ConsultantContract Agenda 11.7.19 attachment.pdf](#)

Created on 10/29/2019 at 7:53 AM PST by Laura Di Pol
Last Modified on 10/29/2019 at 3:19 PM PST by Annalee Wee

Sunnyvale School District
Board of Education

| Consultant | School/Dept | Function | Qualifications | Time/ Date | Amt. |
|--|-------------------------|---|-----------------------|--|-----------------------|
| Amber Johnsen | Sunnyvale Middle School | Will provide after-school coaching in the co-op sports program. | Known coach. | Nov. 7, 2019 thru June 30, 2020 | Not to exceed \$6,000 |
| Funding Source: 0140010S5830 CON: 19-20-114 | | | | | |
| Consultant | School/Dept | Function | Qualifications | Time/ Date | Amt. |
| William Bussey | Sunnyvale Middle School | Will provide after-school coaching in the co-op sports program. | Known coach. | Nov. 7, 2019 thru June 30, 2020 | Not to exceed \$6,000 |
| Funding Source: 0140010S5830 CON: 18-19-115 | | | | | |
| Consultant | School/Dept | Function | Qualifications | Time/ Date | Amt. |
| Richard Kim | Sunnyvale Middle School | Will provide after-school coaching in the co-op sports program. | Known coach. | Nov. 7, 2019 thru June 30, 2020 | Not to exceed \$6,000 |
| Funding Source: 0140010S5830 CON: 19-20-116 | | | | | |
| Consultant | School/Dept | Function | Qualifications | Time/ Date | Amt. |
| Joanne Johnson | Columbia Middle School | Will provide after-school coaching in the co-op sports program. | Known coach. | Aug. 26, 2019 thru June 30, 2020 | Not to exceed \$6,000 |
| Funding Source: 0140010C5830 CON: 19-20-119 | | | | | |
| Consultant | School/Dept | Function | Qualifications | Time/ Date | Amt. |
| Sarah Gross | Columbia Middle School | Will provide after-school coaching in the co-op sports program. | Known coach. | Aug. 26, 2019 thru June 30, 2020 | Not to exceed \$6,000 |
| Funding Source: 0140010C5830 CON: 19-20-120 | | | | | |

| Consultant | School/Dept | Function | Qualifications | Time/ Date | Amt. |
|-------------------------------------|------------------------|---|-----------------------|----------------------------------|-----------------------|
| Juan Salinas | Columbia Middle School | Will provide after-school coaching in the co-op sports program. | Known coach. | Aug. 26, 2019 thru June 30, 2020 | Not to exceed \$6,000 |
| Funding Source: 0140010C5830 | | | | | |
| CON: 19-20-121 | | | | | |
| Consultant | School/Dept | Function | Qualifications | Time/ Date | Amt. |
| Miguel Nevarez | Columbia Middle School | Will provide after-school coaching in the co-op sports program. | Known coach. | Aug. 26, 2019 thru June 30, 2020 | Not to exceed \$6,000 |
| Funding Source: 0140010C5830 | | | | | |
| CON: 19-20-120 | | | | | |

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

11. G. Approval of Memorandum of Understanding re. Vision Plan Options**Contact Person**

Michael Gallagher, Ed.D. - Deputy Superintendent, Human Resources

Description

The Sunnyvale School District ("District") and the Sunnyvale Education Association ("SEA") have explored new VSP vision plan options offered by the Santa Clara County Schools Insurance Group ("SCCSIG").

The parties agree that effective January 1, 2020, the "premium", "high", and "low" VSP vision plans offered by SCCSIG will replace the existing VSP vision plan offering. Pursuant to section 6.2.2.1 of the Agreement, the District shall assume and pay for the cost of the "premium" VSP vision plan, in keeping with Appendix B(a) section C (2.).

The parties agree to reopen this subject (vision benefits) during 2021-22 successor negotiations.

The signed Memorandum of Understanding is available for viewing in Human Resources.

Recommendation

The Superintendent recommends that the Board of Education approve the Memorandum of Understanding regarding the Vision Plan Options.

Created on 10/29/2019 at 7:53 AM PST by Laura Di Pol
Last Modified on 10/29/2019 at 8:29 AM PST by Laura Di Pol

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

11. H. Approval of Revised Job Description/Title Change - Confidential Human Resources Program Analyst**Contact Person**

Michael Gallagher, Ed.D. - Deputy Superintendent, Human Resources

Description

Education Code requires that all new or revised classifications be Board approved.

The job description for the Confidential Secretary has been reviewed and updated to better accurately reflect current, actual job duties and to better convey those duties, the the job description title has been changed to Confidential Human Resources Program Analyst.

The revised job description is attached for your review.

Recommendation

The Superintendent recommends that the Board of Education approve the revised job description and title change as written.

Supporting Documents[CONFIDENTIAL HUMAN RESOURCES SYSTEMS ANALYST 2019.pdf](#)

Created on 10/29/2019 at 7:54 AM PST by Laura Di Pol
Last Modified on 10/29/2019 at 8:39 AM PST by Laura Di Pol

SUNNYVALE SCHOOL DISTRICT

CLASS TITLE: CONFIDENTIAL HUMAN RESOURCES PROGRAM ANALYST

BASIC FUNCTION:

Under the direction of the Human Resources Administrator, performs responsible technical and clerical duties in support of the District's classified and certificated personnel programs and activities, as well as Human Resources information systems. This position requires the person to be directly involved in collective bargaining data and is thereby designated as a confidential position under collective bargaining law.

ESSENTIAL FUNCTIONS:

- Serve as the primary administrative support to the Human Resources administrator.
- Provide outstanding customer service to District staff and community. Respond promptly accurately and compassionately to inquiries, problems and complaints from staff and community. Display confidence and sound judgment in determining when and how to seek assistance in responding to inquiries, problems and complaints.
- Maintain the department website and social media.
- Perform responsible technical and clerical duties in support of the District's classified and certificated personnel programs and activities; assist other administrative staff in conducting the comprehensive personnel programs as requested.
- Understand HR processes and proactively develop and assist HR in the implementation of workflow process and/or technology solutions to enhance customer service, improve process efficiency and reduce costs.
- Responsible for Human Resources data systems, processes, and metrics with guidance from the Manager of Information Systems and Human Resources.
- Create workflow documentation to assist and train district staff using Human Resources data systems.
- Perform quality checks to ensure accuracy and currency of all information.
- Keep up to date with innovations in Human Resources information systems.
- Work with Human Resources system vendors on system requirements, customizations, trouble shooting and training.
- Serve as a member of the Human Resources committees, as assigned.
- Analyze and maintain complex certificated personnel records involving credentials, transcripts, medical records, personnel records and other confidential information.
- Determine appropriate employee salary schedule placement consistent with Board Policy and Collective Bargaining Agreements under the direction of the Human Resources Administrator.
- Analyze, administer and maintain collective bargaining agreements under the direction of the Human Resources Administrator.
- Maintain attendance records of department staff.
- Reconcile and process all invoices through QCC using correct account structures for payment and maintain department's petty cash.

- Conduct telephone inquiries and reference checks to obtain information on potential employees under the supervision of the Human Resources administrator.
- Manage the District's Workers Compensation program, including maintenance of records.
- Serve as the District representative between employees, medical providers, and District Workers Compensation companies.
- Manage the District's property and liability claims program.
- Implement and track mandated employee trainings.
- Update and distribute mandated annual employee notifications.
- Assist with personnel recruitment activities; provide information regarding salaries, District policies, procedures, regulations, and requirements to classified and certificated applicants and current employees.
- Distribute, receive, screen, and process employment applications according to established procedures; maintain applicant information; compile applications, schedule interviews, and contact administrators and applicants for interview sessions.
- Verify required certificates and data, such as CPR, First Aid, and Tuberculin (TB); update employee health information; notify employees of credential and TB expiration dates.
- Collect, prepare and maintain consultant and individual contracts to be submitted to the Board for approval. Develop Board Policy, Administrative Regulations and Exhibit drafts for review by Cabinet level administrators. Advise administrators when Board Policy, Administrative Regulations and Exhibits need to be updated. Input District policies, regulations, and manuals, into appropriate computer and data base systems.
- Establish and maintain communication with the Department of Justice for purposes of fingerprinting and background checks of new employees as well as volunteers who will be unsupervised while working with students.
- Update and maintain: CBEDS files and other state level reports; assist administrators and other office support personnel to verify accuracy of reports and correct employee files and records as necessary.
- Respond to requests for information, audits and other reports.
- Coordinate, plan, and communicate the Professional Development Program for Classified employees.
- Assist with activities, such as new teachers' orientation, employee celebrations, workshops, and other events as assigned.
- Compile and maintain staffing information including position control.
- Prepare, maintain, and process a variety of confidential correspondence, records and reports.
- Utilize a variety of modern office equipment.
- Perform related duties as assigned.

KNOWLEDGE AND ABILITIES:**KNOWLEDGE OF:**

Methods, practices, terminology and procedures used in human resources administration.

Recruitment activities for District certificated and classified employees.

District, State and federal laws, codes, regulations, policies, and procedures concerning human resources administration including California Commission on Teacher Credentialing rules and regulations; and Federal and State Labor Laws; especially Workers' Compensation, FMLA and CFRA.

Interpersonal skills using tact, patience and courtesy.

Record-keeping techniques.

Modern office practices, procedures, and equipment, including district software.

Correct English usage, grammar, spelling, punctuation and vocabulary. Telephone techniques and etiquette.

District's organization, philosophy, goals and objectives.

District's collective bargaining agreements.

Record-keeping and record-checking techniques using available technology.

Principles of staff and public relations.

Operation of computer, data entry techniques and software programs.

ABILITY TO:

Provide technical assistance and training to District staff.

Troubleshoot and resolve basic system issue for District staff.

Analyst, research and recommend system solutions to processing of employee data.

Initiate and check records with speed and the highest level of accuracy.

Read, interpret and apply technical, legal, collective bargaining, and policy materials to specific situations.

Effectively meet administrative and professional personnel and the public in situations requiring tact, poise and good judgment.

Establish and maintain cooperative and effective working relationships with others

Communicate effectively both orally and in writing.

Complete work with many interruptions.

Perform a variety of technical and clerical duties related to District activities and programs for certificated and classified personnel.

Develop and maintain confidential personnel records using current Human Resource software systems.

Provide accurate information and assistance to employees, applicants, supervisors, and administrators.

Update and maintain a variety of files and records.

Type accurately at an acceptable rate of speed.

Establish and maintain cooperative and effective working relationships with others.

Plan and organize work.

Meet schedules and time lines.

Work independently with a minimum of direction.

Ability to read, write, and speak fluently in Spanish is strongly desired.

EDUCATION AND EXPERIENCE:

Graduation from high school; AND three (3) years of responsible office or HR experience, preferably in a District Office or school setting, involving record-keeping, computer data entry, word processing, and public contact duties. Associate Arts degree or equivalent preferred.

WORKING CONDITIONS:**ENVIRONMENT:**

Office environment; subject to considerable distraction and noise from constant interruptions and office activities.

PHYSICAL ABILITIES:

Sitting and viewing a computer monitor for extended periods of time, dexterity of hands and fingers to operate a computer keyboard, reaching to retrieve and maintain files, bending at the waist, and hearing and speaking to communicate with others.

TERMS OF EMPLOYMENT:

Salary and work year to be established by the Board of Education.

EVALUATION:

Performance of this job will be evaluated in accordance with the Memorandum of Understanding between the Sunnyvale School District and the Sunnyvale Classified and Certificated Association for Management Personnel (SCCAMP).

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

819 West Iowa Avenue, Sunnyvale, CA 94086

Printed : 10/31/2019 5:15 PM PST

11. I. Approval of Personnel Assignment Order 19-07 **Contact Person**

Michael Gallagher, Ed. D. - Deputy Superintendent of Human Resources

Description

Support information is attached.

Recommendation

The Superintendent recommends that the Board of Education approve Personnel Assignment Order 19-07 as presented.

Supporting Documents[CE PAO 19-07 110719.pdf](#)[CL PAO 19-07 110719.pdf](#)Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/30/2019 at 1:38 PM PST by Annalee Wee

1. Certificateda. Employment

Carla Kirschenbaum, Temporary Fourth Grade Teacher
 Cherry Chase Elementary School
 Column A, Step 1
SACS=0181010B1110
 Effective: October 28, 2019

#10246
 Replaces
 Cindy Suth

Scott Lee, Temporary Second Grade Teacher
 Bishop Elementary School
 Column A, Step 1
SACS=0181010A1110
 Effective: October 18, 2019 to June 11, 2020

#10192

b. Leave of Absence

Christina Le, Special Education Teacher
 Lakewood Preschool
 Effective: November 13, 2019 to November 15, 2019

#10991
 Baby Bonding

c. Retirement

Sharon Caudle, Second Grade Teacher
 Cherry Chase Elementary School
 Effective: June 11, 2020

#10220

Sharon Eilts, Special Education Teacher
 Sunnyvale Middle School
 Effective: June 11, 2020

#11022

d. Resignation

Amanda Erichsen, Third Grade Teacher
 Ellis Elementary School
 Effective: November 29, 2019

Personal

Neva Newman, Fifth Grade Teacher
 Cumberland Elementary School
 Effective: October 18, 2019

#10945
 Personal

TO THE BOARD OF EDUCATION FROM THE SUPERINTENDENT

November 7, 2019

Personnel Assignment Order 19-07

COMMENTS

PURPOSE

1. Classified

a. Employment

Ariel Juarez, Noon Aide
Range 2, Step N, 1.5 hrs/day, Cumberland School
SACS=0199010R2915
Effective: October 7, 2019

#11534
Vacant Position

Marion Wilson, Para Educator – Special Education
Range 22, Step A, 6 hrs/day, Sunnyvale Middle School
SACS=6500E11S2110
Effective: October 23, 2019

#10478
Replacing
Ashley Castanon

Marisol Herrera-Pena, Noon Aide
Range N, Step 2, 1 hr/day, San Miguel School
SACS=0199010H2915
Effective: October 17, 2019

#11572
New Position

Eyanna Lynum-Brumfield, Para Educator Special Education
Range 22, Step C, 6 hrs/day, Columbia Middle School
SACS=6500F12C2110
Effective: October 21, 2019

#10785
39 Month Rehire
Replaces
Vaishali Patil

Sravanthi Kintali, Noon Aide
Range N, Step 2, 1.5 hrs/day, Cherry Chase Elementary
SACS=0199010B2915
Effective: November 1, 2019

#11530
Replaces
Sireesha Vaka

Catherine Prada, Para Educator KLAS
Range 18, Step D, 2 hrs/day, San Miguel Elementary
SACS=601001H2110
Effective: October 28, 2019

#11657
New Position

Gabrielle Acosta, Para Educator KLAS
Range 18, Step C, 2 hrs/day, San Miguel Elementary
SACS=601001H2110
Effective: October 28, 2019

#11655
New Position

Mary Anne Aquino, Para Educator KLAS
Range 18, Step L/07, 2 hrs/day San Miguel Elementary
SACS=601001H2110
Effective: October 28, 2019

#11656
New Position

Personnel Assignment Order 19-07

COMMENTSPURPOSE2. Classifiedb. Resignations

Jennifer Pokojny, Para Educator – Special Education
Range 22, Step D, 30 hrs/wk, Lakewood Preschool
Effective: October 4, 2019

#10684
Personal

Jennifer Delgado, Para Educator – KLAS
Range 22, Step D, 10 hrs/wk, San Miguel Elementary
Effective: September 30, 2019

#10568
Personal

Alicia Hernandez, Noon Aide
Range N, Step 2, 2 hrs/day, Lakewood School
Effective: October 10, 2019

#11554
Personal

Patience Daniels, Noon Aide
Range N, Step 2, 1.5 hrs/day, Ellis School
Effective: October 21, 2019

#11541
Personal

Shamala Jayaraman, Accounting Assistant I
Range 31, Step L/7, District Office
Effective: November 1, 2019

#11631
Personal

Petra Martisovsky, Noon Aide
Range N, Step 2, Ellis Elementary School
Effective: October 21, 2019

#11571
Personal

Sarah Castro, Bilingual Para Educator
School Outreach Assistant
Range 23, Step C, Sunnyvale Middle School
Effective: December 11, 2019

#10753
#11400
Personal

c. Released

Sueann Cremin, Food Service Assistant I
Range 18, Step A, Lakewood Elementary School
Effective: October 11, 2019

#11636

d. Request for leave

Edward Johnson, Behavior Intervention Services Sup
Range II, Step 8, 8 hrs/day, District Office
Effective: November 18, 2019 through November 29, 2019
Effective: December 9, 2019 through December 20, 2019
Effective: January 17, 2019 through January 24, 2019

#11509
Child Bonding

TO THE BOARD OF EDUCATION FROM THE SUPERINTENDENT

November 7, 2019

Personnel Assignment Order 19-07

COMMENTS

PURPOSE

3. Classified

e. For Information Only

Food Service 1 Substitute

Ana Fernandez

Noon Aide Substitute

Caroline Morrison
Rosalynda Garcia
Latha Mudumbai Krishnaswamy

**BOARD OF EDUCATION Regular Board Meeting****11/07/2019 07:00 PM**

Board Room

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11. J. Acceptance of Donations to the District**Contact Person**

Benjamin H. Picard, Ed.D. - Superintendent

Description

The District has received the following donation(s):

- The Physics Show at Foothill College donated \$735 to Vargas Elementary School to be used for the science education of the students who went to The Physics Show in September

Recommendation

The Superintendent recommends that the Board of Education accept the donation(s) to the District as listed, with a letter of appreciation sent to the donor(s).

Created on 10/28/2019 at 4:12 PM PST by Annalee Wee
Last Modified on 10/29/2019 at 3:31 PM PST by Annalee Wee



BOARD OF EDUCATION Regular Board Meeting

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Board Room

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12. INFORMATION AGENDA

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/1/2019 at 3:26 PM PST by Annalee Wee

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12. A. Williams Uniform Complaint Settlement Quarterly Report **Contact Person**

Michael Gallagher, Ed.D. - Deputy Superintendent, Human Resources

Description

As required by law, under the Williams Uniform Complaint Settlement, a quarterly report must be provided to the Board of Education listing complaints filed regarding Textbooks and Instructional Materials; Facilities Conditions posing an emergency or health/safety threat; and/or Teacher Vacancies or Misassignments.

Reporting for the quarter beginning July 1, 2019 and ending on September 30, 2019 - no complaints have been filed.

Supporting Documents


[Quarterly Report on Williams Uniform Complaints July - Sept. 19.pdf](#)

Created on 10/29/2019 at 2:41 PM PST by Annalee Wee
Last Modified on 10/29/2019 at 3:37 PM PST by Annalee Wee

Academic School Year 2019-2020
 Quarterly Report on Williams Uniform Complaints
 [Education Code § 35186]

District: Sunnyvale School District

Person completing this form: Michael Gallagher

Title: Deputy Superintendent of 

Quarterly Report Submission Date: Jul 1 – Sep 30, 2019 (due Oct 27, 2019)

(Please check one) Oct 1 – Dec 31, 2019 (due Jan 27, 2020)

Jan 1 – Mar 31, 2020 (due Apr 27, 2020)

Apr 1 – Jun 30, 2020 (due Jul 27, 2020)

Date for information to be reported publicly at governing board meeting: November 7, 2019

Please check the box that applies:

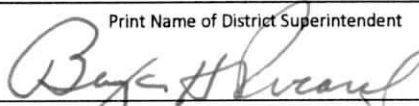
No complaints were filed with any school in the district during the quarter indicated above.

Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

| GENERAL SUBJECT AREA | TOTAL # OF COMPLAINTS | # RESOLVED | # UNRESOLVED |
|---------------------------------------|-----------------------|------------|--------------|
| Textbooks and Instructional Materials | 0 | 0 | 0 |
| Teacher Vacancy of Misassignments | 0 | 0 | 0 |
| Facilities Conditions | 0 | 0 | 0 |
| TOTALS | 0 | 0 | 0 |

Dr. Benjamin Picard

Print Name of District Superintendent



Signature of District Superintendent

October 28, 2019

Date

Please scan the original signed copy and email to:
 Santa Clara County Office of Education – Equity and Educational Progress Division
 Mayra Ayala, mayra_ayala@sccoe.org

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12. B. Revised Administrative Regulation 0460 - Local Control and Accountability Plan **Contact Person**

Benjamin H. Picard, Ed.D. - Superintendent

Description

Administrative Regulation 0460 - Local Control and Accountability Plan was updated to reflect NEW LAW (AB 1240) which adds, as a measure of student achievement, the percentage of students who have successfully completed both college entrance courses and career technical education courses. As this information is not applicable to Sunnyvale School District, these updates in particular were not included in the revision. Among other minor revisions, the LCAP and updates or revisions to the LCAP shall be posted prominently on the homepage of the district's web site.

The revised accompanying Board Policy 0460 - Local Control and Accountability Plan can be found under Review and Discussion items.

Supporting Documents[AR0460 Local Control and Accountability Plan REVIEWED 110719.pdf](#)

Created on 10/28/2019 at 5:19 PM PST by Annalee Wee
Last Modified on 10/28/2019 at 7:16 PM PST by Annalee Wee

Philosophy, Goals, Objectives, and Comprehensive Plans

Local Control and Accountability Plan

Goals and Actions Addressing State and Local Priorities

The district's local control and accountability plan (LCAP) **and annual updates** shall include, for the district and each district school: (Education Code 52060)

1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. The LCAP shall identify goals for each of the following state priorities:

a. The degree to which district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3517 - Facilities Inspection)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English Learners)

c. Parent/guardian involvement **and family engagement**, including efforts the district makes to seek parent/guardian input in district and school site decision making and how the district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy, and students with disabilities

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6020 - Parent Involvement)

(cf. 6173.1 - Education for Foster Youth)

d. Student achievement, as measured by all of the following as applicable:

(1) Statewide assessments of student achievement

(2) The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency

(3) The English learner reclassification rate

(cf. 0500 - Accountability)
(cf. 6141.5 - Advanced Placement)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6178 - Career Technical Education)

e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates,

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 6146.1 - High School Graduation Requirements)

f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable

(cf. 5137 - Positive School Climate)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration grant funding pursuant to Education Code 42238.02 and 42238.03

(cf. 6143 - Courses of Study)
(cf. 6159 - Individualized Education Program)

h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

2. Any goals identified for any local priorities established by the Board.

(cf. 0200 - Goals for the School District)

3. A description of the specific actions the district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the district.

For purposes of the descriptions required by items #1-3 above, the Board may consider qualitative information, including, but not limited to, findings that result from any school quality **review** conducted pursuant to Education Code 52052 or any other reviews. (Education Code 52060)

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify

and include in the LCAP the method for measuring the district's progress toward achieving those goals. (Education Code 52060)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on **the California School Dashboard**. (Education Code 52060)

Increase or Improvement in Services for Unduplicated Students

The LCAP shall demonstrate how the district will increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. (5 CCR 15494-15496)

When the district expends supplemental and/or concentration grant funds on a districtwide or schoolwide basis during the year for which the LCAP is adopted, the district's LCAP shall: (5 CCR 15496)

1. Identify those services that are being funded and provided on a districtwide or schoolwide basis
2. Describe how **such** services are principally directed towards, and are effective in, meeting the district's goals for unduplicated students in the state priority areas and any local priority areas
3. If the enrollment of unduplicated students is less than 55 percent of district enrollment or less than 40 percent of school enrollment, describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated students in the state priority areas and any local priority areas. The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experiences, or educational theory.

Availability of the Plan

The Superintendent or designee shall **prominently** post the LCAP, any updates or revisions to the LCAP, **and the LCFF budget overview for parents/guardians on the homepage of the** district's web site. (Education Code **52064.1**, 52065)

(cf. 1113 - District and School Web Sites)



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13. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/1/2019 at 3:26 PM PST by Annalee Wee



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14. ADJOURN TO CLOSED SESSION

Quick Summary / Abstract

Public Employment (GC 54957)

Teachers K-8

Noon Aides

Para Educator - Special Education

Para Educator - KLAS

Public Employee Discipline/Dismissal/Release (GC 54957)

Conference with Real Property Negotiators

Property: Lakewood Elementary School - Proposed Branch Library and Learning Center

Agency negotiators: Benjamin Picard, Superintendent; Rob Smiley, Chief Operations Officer

Negotiating parties: SSD and City of Sunnyvale

Under negotiation: Price and terms of payment

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/30/2019 at 1:37 PM PST by Annalee Wee



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15. RECONVENE TO OPEN SESSION

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/1/2019 at 3:26 PM PST by Annalee Wee



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15. A. Report From Closed Session

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/1/2019 at 3:26 PM PST by Annalee Wee



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16. FUTURE MEETINGS/ADJOURNMENT

Quick Summary / Abstract

Thursday, November 14, 2019, 7:00 p.m.

Special Board Organizational Meeting

District Office Board Room

Created on 10/1/2019 at 3:26 PM PST by Annalee Wee
Last Modified on 10/31/2019 at 4:57 PM PST by Annalee Wee